



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2021

CORAM

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD) No.13650 of 2021

M.Parvathy

... Petitioner

Vs.

- 1.The District Revenue Officer,
Madurai District, Madurai - 20.
2. The Revenue Divisional Officer,
Madurai District, Madurai - 20.
3. The Thasildar,
Madurai West Taluk,
Madurai - 625 019.
4. Inspector of Police,
Nagamalaipudukottai Police Station,
Nagamalaipudukottai,
Madurai - 625 019.

5. Sathiya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first to third respondents for taking necessary action for survey of petitioner's property is situated at Madurai District, Nagamalaipudukottai Village, Survey No.111/2A/6B, admeasuring 10 cents and to make correctness on the revenue records as per the sale Deed in Document No.1198/1983 dated 16.07.1983 and further direct the fourth respondent to provide police protection at the time of survey and by considering the petitioner's representations dated 01.03.2021, and complaint dated 21.07.2021.

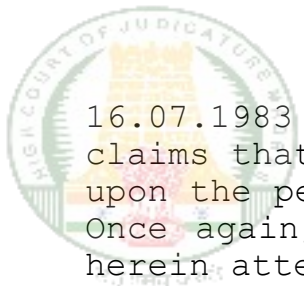
For Petitioner : Mr.A.Jeyaram

For Respondents : Mr.P.Subbaraj
Counsel for State - For R1 to R4

O R D E R

The petitioner seeks a direction for the survey of her property at Survey No.111/ 2A/6B, Nagamalaipudukottai Village, Madurai District.

2. The petitioner states that she acquired title to the aforesaid property under a registered Sale Deed executed on



16.07.1983 under Document No.1198/1983. Thereafter, the petitioner claims that the father of the fifth respondent attempted to encroach upon the petitioner's property and the dispute was amicably settled. Once again, it is stated that in April 2021, the fifth respondent herein attempted to encroach upon her property.

WEB COPY

3. The petitioner further states that the extent of property as per the aforesaid registered sale deed is 10 cents, whereas there is a discrepancy in the revenue records which reflects a lower extent. Therefore, the petitioner has requested for a survey so as to ascertain the actual extent available on the ground.

4. Mr.P.Subbraj, learned counsel for the State, accept notice on behalf of the respondents 1 to 4.

5. The facts set out aforesaid clearly disclose that there is a dispute between the petitioner on the one hand and the fifth respondent on the other. The precise nature of the dispute is not clear from the documents on records but it is clearly a dispute relating to the property. In such circumstances, a positive direction to carry out the survey cannot be issued.

6. Nevertheless, since the petitioner has submitted a representation dated 01.03.2021 the third respondent herein is directed to consider the petitioner's representation and dispose of the same by a reasoned order after putting the 5th respondent herein on notice. Such reasoned order shall be passed within a period of two months from the date of receipt of a copy of this order.

7.W.P.(MD).No.13650 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1. The District Revenue Officer,
Madurai District, Madurai - 20.
2. The Revenue Divisional Officer,
Madurai District, Madurai - 20.



3. The Thasildar,
Madurai West Taluk,
Madurai - 625 019.

4. The Inspector of Police,
Nagamalaipudukottai Police Station,
Nagamalaipudukottai,
Madurai - 625 019.

+1 CC to M/s.GP (SR-25599[F] dated 09/08/2021)

+1 CC to M/s.A.JEYARAM, Advocate (SR-25584[F] dated 09/08/2021)

W.P. (MD) .No.13650 of 2021
06.08.2021

RK (16.08.2021) 3P 7C