



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)NO.15749 OF 2021

and

W.M.P(MD)No.12699 of 2021

WEB COPY

Kajini Mohamed

:Petitioner

.vs.

- 1.The District Collector,
Madurai District.
- 2.The Assistant Director,
Land Survey and Records Department,
Madurai District.
- 3.The District Revenue Officer,
Madurai District.
- 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Melur,
Madurai District.
- 5.The Tahsildar,
Tahsildar Office,
Melur,
Madurai District.
- 6.The Taluk Head Surveyor,
Tahsildar Office,
Melur,
Madurai District.

7.A.Mahamootha

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents to alter the Field Map Book sketch between petitioner's land in old survey No.310 and 316 and the 7th respondent land in old survey No.307/2A, T.S.No.311/4 situated at Seethakathi South Street, Melur, Madurai District.

For Petitioner	: M/s.K.Saravanan
For Respondents	: Mr.P.Subbaraj
1 to 6	Counsel for State



O R D E R

The petitioner seeks to prevent alteration of the Field Measurement Book pertaining to survey No. 310, 316 and 307/2A Seethakathi South Street, Melur, Madurai District.

2.The petitioner states that he owns properties at old survey No.310 measuring about 868 sq.ft and at old survey No.316 measuring about 1147 sq.ft. According to the petitioner, the seventh respondent owns land bearing survey No.307/2A, which is situated to the east of the petitioner's land. There is a boundary dispute as between the petitioner and the seventh respondent. The petitioner states that a survey was undertaken and a survey report was submitted on 31.12.2020. The present Writ Petition is filed on the basis of an apprehension that the boundary of survey No.307/2A would be altered unilaterally in such a manner as to infringe the eastern boundary of the petitioner's property.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 6. He submits that the Field Map Book or the boundaries of the petitioner's property would not be altered without following due process and without providing a reasonable opportunity to the petitioner.

4.In light of the submissions made on the behalf of the State, the petitioner's apprehension has been addressed. The official respondents herein are directed not to undertake any alteration of the Field Measurement Book or the boundaries in such a manner as to impact the petitioner's property except after providing a reasonable opportunity to the Petitioner and in accordance with law

5.W.P(MD) No.15749 of 2021 is disposed of with the above observations and without any order as to costs.

Sd/-

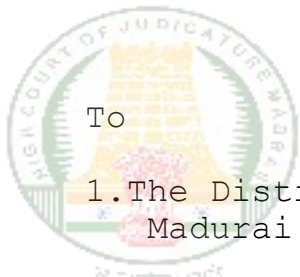
Assistant Registrar (CS III)

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/ /2021

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

- 1.The District Collector,
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- 6.The Taluk Head Surveyor,
Tahsildar Office,
Melur,
Madurai District.

+1 CC to M/s.GP (SR-28206[F] dated 06/09/2021)

ORDER MADE IN
W.P (MD) NO.15749 OF 2021
and
W.M.P (MD) No.12699 of 2021
03.09.2021

RS (14.09.2021) 3P 8C