



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15796 of 2021

Deivendran

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Special Tahsildar,
Adhi Dravedar Welfare Department,
Usilampatti,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to complete the proceedings in its Na.Ka.No.1016/2021/J4 dated 06.08.2021 and consequently to survey the land situated at Plot No.58, Survey No.24/2B, K.Sennampatti Village, Kallikudi Taluk, Madurai District on the basis of the petitioner's representation dated 29.06.2021 within a stipulated time as fixed by this Hon'ble Court.

For Petitioner : Mr.S.Shanmugam

For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks the survey of the land situated at Plot No.58, Survey No.24/2B, K.Sennampatti Village, Kallikudi Taluk, Madurai District.

2. The petitioner states that the above mentioned land was allotted to him by the Government under an assignment order dated 31.01.2019. It is also stated that the petitioner is in possession and enjoyment of the property since the date of such assignment. In order to demarcate the boundaries of the property, the petitioner had applied for a survey on 04.02.2021 and 29.06.2021. In spite of

<https://hcservicesapp.hcservices.gov.in/hcservices/>



the issuance of a memorandum dated 06.08.2021 by the first respondent to the second respondent to take necessary action in connection with the survey, it is stated that no action was taken.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the second respondent may be directed to conduct the survey after putting all affected parties on notice.

4. The documents on record include the assignment order in respect of Plot No.58, Survey No.24/2B, and such assignment order is in the name of the petitioner. Therefore, the petitioner is entitled to a direction for the conduct of survey. However, such survey should be undertaken after putting the adjoining land owners on notice as such survey may have an impact on the boundaries of their properties.

5. Accordingly, the second respondent herein is directed to act on the petitioner's representation dated 29.06.2021 and conduct a survey of the land situated at Plot No.58, Survey No.24/2B, K.Sennampatti Village, Kallikudi Taluk, Madurai District after putting the petitioner and the adjoining land owners, whose boundaries may be affected by such survey on notice. The entire exercise shall be completed within a period of three (3) months from the date of receipt of a copy of this order.

6. Accordingly, W.P.(MD).No.15796 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Madurai District, Madurai.



2.The Special Tahsildar,
Adhi Dravedar Welfare Department,
Usilampatti, Madurai.

+1 CC to M/s.GP (SR-28337[F] dated 07/09/2021)

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**W.P (MD) No.15796 of 2021
06.09.2021**

RK (16.09.2021) 3P 4C