



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.18797 of 2018
(Through Video Conference)

N.Abbas

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Taluk Office,
Melur,
Madurai District.

3.The Firka Surveyor,
Karunkalagudi Firka,
Office of the Tahsildar,
Taluk Office,
Melur, Madurai District.

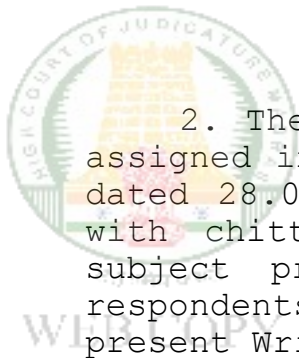
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents to consider the petitioner's representation dated 23.07.2018, so as to survey the petitioner's land and demarcate its boundaries to extent total of 0.59.0 hectares situate at Survey No.531/11, Boothamangalam Village, Melur Taluk, Madurai District and issue a copy of the survey order and map to the petitioner as per the Sections 10 and 11(1) of the Tamil Nadu Survey and Boundaries Act, 1923 within the prescribed time fixed by this Honourable Court.

For Petitioner : Mr.M.Sathiamoorthy
For Respondents : Mr.P.Mahendran,
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the second and third respondents to consider the representation made by the petitioner on 23.07.2018 and to conduct a survey in the subject property and demarcate the boundaries.



2. The case of the petitioner is that the subject property was assigned in his favour by the second respondent through proceedings dated 28.09.2016. According to the petitioner, he was also issued with chitta. The petitioner wanted to conduct a survey in the subject property and hence, a representation was made to the respondents on 23.07.2018. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Heard Mr.M.Sathiamoorthy, learned counsel for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 23.07.2018 and deal with the same on its own merits and in accordance with law and take a decision with regard to the survey of the subject property within a period of six (06) weeks from the date of receipt of a copy of this order.

5. If there are any other interested parties claiming right over the subject property, they shall also be issued notice and opportunity shall be given to raise their objections, if any. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. The writ petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /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,
Madurai District, Madurai.



2.The Tahsildar,
Taluk Office, Melur,
Madurai District.

3.The Firka Surveyor,
Karunkalagudi Firka,
Office of the Tahsildar,
Taluk Office, Melur, Madurai District.

+1 CC to M/s.SPL GP (SR-17125[F] dated 22/04/2021)

+1 CC to M/s.M.SATHIA MOORTHY, Advocate (SR-17300[F] dated
23/04/2021)

Order made in
W.P. (MD) No.18797 of 2018
DATED
21.04.2021

AS (11.06.2021) 3P 6C