



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.2146 of 2022

R.Dhanasekaran

... Petitioner

Vs.

1.The Assistant Director of Survey,
Madurai District,
Madurai.

2.The Inspector of Survey,
Madurai District,
Madurai.

3.The Tahsildar,
Thiruparankundram Taluk,
Thiruparankundram,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents No.1 and 2 to conduct proper Survey and mark the boundaries in respect of properties comprised in Madurai District, Thiruparankundram Taluk, Nedumadurai Village, comprised in S.Nos.39/1B1, 39/1B3, 39/1B5, 39/1B6 and in S.No.39/3A1.

For Petitioner : Mr.R.Murali

For Respondents : Mr.J.John Rajadurai,
Government Advocate (Civil Side)

ORDER

It had been stated that in the month of July 2021, the Tahsildar along with the Firka Surveyor, Thiruparankundram, Madurai District had conducted a survey consequent to an application made by the petitioner in Survey Nos.39/1B1, 39/1B3, 39/1B5, 39/1B6 and in S.No.39/3A1.

2. However, it is the contention of the learned counsel for the petitioner that the petitioner was not satisfied with the nature of survey conducted and thereafter, had given a further representation to the third respondent / the Tahsildar, Thiruparankundram Taluk, Madurai District and had also paid necessary charges.



3. It is informed by Mr.J.John Rajadurai, learned Government Advocate(Civil Side), who takes notice for the respondents, that the competent authority to whom such application will have to be given is the District Revenue Officer.

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4. Let a fresh application be given to the District Revenue Officer and let there be adjustment of the fees already paid, for conducting survey once again. The said application / representation to the District Revenue Officer, Madurai District may be given by the petitioner within a period of three (3) weeks from the date of receipt of a copy of this order and thereafter, the second respondent / the Inspector of Survey, Madurai District, or the competent authority, who has to conduct the survey, may do the necessary needful within a period of six (6) weeks from the date of receipt of a fresh application by the petitioner. A copy of this order may also be forwarded by the petitioner along with the application.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 Assistant Director of Survey,
Madurai District,
Madurai.
- 2.The Inspector of Survey,
Madurai District, Madurai.
- 3.The Tahsildar,
Thiruparankundram Taluk,
Thiruparankundram, Madurai.



+1 CC to M/s.R.MURALI, Advocate (SR-4139[F] dated 04/02/2022)

+1 CC to M/s.SPL.GP (SR-4226[F] dated 04/02/2022)

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