



W.P.(MD).No.26040 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26040 of 2022

K.Balu

... Petitioner

vs.

1.The District Collector,
Madurai District,
Collectorate Campus,
Madurai 625 005.

2.The Tahsildar,
Madurai West Taluk,
Taluk Office,
Achampathu,
Madurai 625 016.

3.The Sub Inspector of Survey,
Madurai West Taluk Office,
Achampathu,
Madurai 625 016.

4.M.Manimuthu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to conduct survey and to fix all the boundary lines as per Filed



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Measurement Book by meets and bounds based on the application of the petitioner dated 21.03.2022 pertaining to the land bearing S.No. 45/12 comprising an extent of 0.2.00 Ares (5 Cents 20 Sq.ft.) situated at Karadipatti Village, Madurai West Taluk, Madurai District within a time frame as pleased by this Court.

For Petitioner : Mr.S.Chandrasekaran
For R1 to R3 : Ms.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to conduct survey and to fix all the boundary lines as per Filed Measurement Book by meets and bounds, based on the application of the petitioner dated 21.03.2022, pertaining to the land bearing S.No. 45/12 to an extent of 0.2.00 Ares (5 Cents 20 Sq.ft.) situated at Karadipatti Village, Madurai West Taluk, Madurai District.

2. The case of the petitioner is that he has purchased the land in S.No.45/12 situated at Karadipatti Village, Madurai West Taluk by way



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of registered sale deed, dated 24.06.2022. Thereafter, he is in possession and enjoyment of the same. On 21.03.2022, he has made an application before the second respondent for survey of the said land and he has also paid necessary fees. But the second respondent has not taken any steps to survey the said land. Therefore, the petitioner has filed the present writ petition

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

4. Considering the above facts, this Court, without expressing any opinion on the merits of the matter, directs the respondents 2 and 3 to consider the petitioner's application dated 21.03.2022 and pass appropriate orders, based on the decree in O.S.No.1826 of 2004, dated 15.09.2016 and the judgment of the Division Bench in W.A.(MD).No. 197 of 2014, dated 03.01.2019, after affording an opportunity of hearing to the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

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Index: Yes/No
Internet: Yes/No

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V.BHAVANI SUBBAROYAN,J.

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