



W.P.(MD)No.25522 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.25522 of 2022

P.K.N.Arumugam

.. Petitioner

Versus

1.State of Tamil Nadu,
Rep. by its District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thiruparankundram Taluk,
Madurai.

3.The Head Surveyor,
Thiruparankundram Taluk,
Madurai.

4.The Inspector of Police,
S.S. Colony Police Station,
Madurai City.

5.Vasanthakumar

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to consider the representation, dated 12.09.2022, for the measurement of the property to an extent of 38 ¼ cents, situated in Survey No.335/6A, at Madakkulam Village, Thiruparankundram Taluk, Madurai District, new Survey No.10/4B, Block No.7, Ward No.22 Madakkulam Part-2, Madurai Corporation,



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Thirupparankundram Taluk, Madurai District and also direct the fourth respondent to give police protection at the time of land survey.

For Petitioner : Mr.P.Chandrasekar
For Respondents 1 to 3 : Mr.C.Satheesh
Government Advocate
For 4th Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the third respondent to consider the representation, dated 12.09.2022, for the measurement of the property, measuring an extent of 38 ¼ cents, situated in Survey No.335/6A, at Madakkulam Village, Thirupparankundram Taluk, Madurai District, new Survey No.10/4B, Block No.7, Ward No.22 Madakkulam Part-2, Madurai Corporation, Thirupparankundram Taluk, Madurai District and also direct the fourth respondent to give police protection at the time of land survey.

2. Heard Mr.P.Chandrasekar, learned counsel appearing for the petitioner; Mr.C.Satheesh, learned Government Advocate, who takes notice for the respondents 1 to 3; and Mr.B.Thanga Aravindh, learned Government Advocate (Criminal side), who takes notice for the fourth respondent. By consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Having regard to the nature of the order proposed to be passed in this Writ Petition, notice to the fifth respondent is dispensed with.

4. According to the petitioner, he purchased the property bearing S.No. 335/6A, R.S.No.10/4B, Block No.7, Ward No.22, Madakulam Part – 2, measuring an extent of 38 ¼ cents, situated at Maddakkulam Village, Thirupparankundram Taluk, Madurai District, from one M.Dhanalakshmi, vide registered sale deed, bearing Document No.10654 of 2020, dated 31.10.2020. The Patta in respect of the said property also stands in his name. Due to his family circumstances, now, the petitioner wants to sell 30 cents of land out of 38 ¼ cents. In this regard, he sent a representation in the month of August 2021 to the third respondent and the third respondent has also issued a notice on 09.08.2021 to all the adjacent land owners and the fifth respondent refused to receive the summons and also not allowed the authorities to survey the land without any valid reason or objection. Thereafter, on 12.09.2022, the petitioner sent a detailed representation to the respondents 2 to 4 for survey his land along with requisite fee. However, no action has been taken on the petitioner's representation. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.



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5. The learned Government Advocate appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's property would be measured and demarcated, based on his representation, dated 12.09.2022, after issuing notice to all the necessary parties concerned, within a time frame.

6. Recording the aforesaid submission made by the learned Government Advocate appearing for the respondents 1 to 3, this Court, without going into the merits of the case, directs the respondents 2 and 3 to measure the property in question and demarcate the boundaries, based on the petitioner's representation, dated 12.09.2022, after issuing notice to all the necessary parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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To

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thiruparankundram Taluk,
Madurai.

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3.The Head Surveyor,
Thiruparankundram Taluk,
Madurai.

4.The Inspector of Police,
S.S. Colony Police Station,
Madurai City.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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