



WP(MD)No.5675 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.10.2023**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.5675 of 2021

Thanapandiyan

...Petitioner

/Vs./

1.The Tahsildar,
Kallikudi Taluk Office,
Kallikudi Taluk,
Madurai District.

2.The Taluk Surveyor,
Kallikudi Taluk Office,
Kallikudi Taluk,
Madurai District.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of mandamus directing the respondents to survey the property comprised in Patta No.267 in S.F.No.12/5B1A for an extent of 0.4.5 Arcs at Nedunkulam Village, Kallikudi Taluk, Madurai District on the basis of petitioner's application dated 29.12.2020 within time frame fixed by this Court.

For Petitioner : Mr.M.Palani

For Respondents : Ms.D.Farjana Ghoushia

Special Government Pleader



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ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents to survey the suit property, based on the application submitted by the petitioner on 29.12.2020.

2. The case of the petitioner is that he is the absolute owner of the subject property and that already patta has been issued in his favour in patta No.267. The petitioner wanted to conduct survey in order to mark the boundaries. According to the petitioner, he made a representation on 29.12.2020 to the respondents requesting for surveying the property. Since the same was not acted upon, the present writ petition has been filed.

3. When the matter was taken up for hearing, the learned Special Government Pleader on the basis of the written instructions received from the first respondent, submitted that one Guruvammal and 12 others have filed an appeal before the District Revenue Officer, Madurai, which is pending in Na.Ka.No.1811/2021/G5 seeking for cancellation of the patta granted in favour of the petitioner and for issuance of patta in their names. In view of the same, it was submitted by the learned Special Government Pleader that subject to the



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final result in the proceedings pending before the District Revenue Officer, the request made by the petitioner will be considered.

4. In the light of the above submission of the learned Special Government Pleader and based on the written instructions received from the first respondent, the relief sought for by the petitioner cannot be granted by this Court for the present. The petitioner shall participate in the proceedings that are pending before the District Revenue Officer, Madurai and subject to the result of the proceedings, the petitioner can revive his claim for conducting the survey in the subject property.

5. This writ petition is disposed with the above observations. No costs.

16.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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To:-

1.The Tahsildar,
Kallikudi Taluk Office,
Kallikudi Taluk,Madurai District.

2.The Taluk Surveyor,
Kallikudi Taluk Office,
Kallikudi Taluk,Madurai District.



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N.ANAND VENKATESH, J.

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