



W.P.(MD).No.5767 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.5767 of 2021

K.P.L.Ramakrishnan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Collectorate Campus,
Gandhi Nagar, Madurai.

2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Head Surveyor,
Melur Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the third respondent to survey the petitioner's land in S.Nos.220/2A1 and 220/2A4 in Therku Theru Village, Melur Taluk, Madurai District and consequently direct the second respondent to provide separate patta to the petitioner in respect of S.Nos. 220/2A1 and 220/2A4 within the time frame fixed by this Court.



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For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.C.Baskaran,
Government Advocate

ORDER

This Writ Petition is filed for Writ of Mandamus, to direct the third respondent to survey the petitioner's land and consequently direct the second respondent to provide separate patta to the petitioner land in respect of S.Nos. 220/2A1 and 220/2A4.

2. Heard the learned Counsel appearing for the petitioner, and the learned Government Advocate appearing for the respondents and perused the materials available on record.

3. The petitioner is claiming rights over the property. The learned Government Advocate appearing for the respondents has submitted that there is a civil dispute between the petitioner and the rival claimants and S.A.No.204 of 2006 and the same is pending before this Civil Court.

4. Therefore, the respondents are directed to issue notice to the petitioner as well as the rival claimants. After issuing notice, shall conduct an enquiry.



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After hearing objections from both sides, the respondents shall decide the issue.

If the issue ought to be decided by the civil court, the respondents may direct the parties seek the remedy before the civil court. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With these observations and directions, this Writ Petition is allowed.

There shall be no order as to costs.

22.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Sml

To

1.The District Collector,
Madurai District,
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Gandhi Nagar, Madurai.

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S.SRIMATHY, J.

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