



W.P(MD)No.7662 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.7662 of 2023

Kaliyammal

... Petitioner

Vs

1. The Tahsildar,
Kadavur Taluk, Karur District.
2. The Taluk Surveyor,
Kadavur Taluk, Karur District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondents 1 and 2 to survey the land in S.No. 481/1A5 and 481/1A6 in Sembiyanaham Village, Kadavur Taluk, Karur District, on the basis of the petitioner's application, dated 16.12.2022.

For Petitioner	:Mr.R.Shankar Ganesh
For R1 and R2	:Mr.D.S.Nedunchezian Government Advocate



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ORDER

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The writ petition has been filed in the nature of Mandamus, seeking a direction against the respondents No.1 and 2 to survey the land in S.No. 481/1A5 and 481/1A6 at Sembianaham Village, Kadavur Taluk, Karur District.

2.The petitioner is the second plaintiff in O.S.No.103 of 2006 on the file of District Munsif, Kuzhithalai. The suit was actually filed by the first plaintiff/husband of the petitioner and consequent to his death, the petitioner has been impleaded as further plaintiff in the suit. The suit was filed for the relief of declaration of title and permanent injunction restraining the defendants from interfering with the peaceful possession and also for recovery of possession, in respect of other portion of properties. That suit had been decreed in favour of the petitioner. Consequent to such decree, the present writ petition has been filed seeking to survey and measure the property.

3.A direction is given to the respondents/Tahsildar, Kadavur Taluk, Karur District and the Taluk Surveyor, Kadavur Taluk, Karur District



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to issue notice not only to the petitioner/second plaintiff in O.S.No.103 of 2006, on the file of District Munsif, Kuzhithalai, but also to the defendants therein and ensure that notices are actually served and whether there is any appeal is filed against the said suit. If no appeal is filed, proceed to survey as sought in the writ petition, or else, let a report be filed. The said exercise should be completed within a period of twelve weeks, from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition stands disposed of.

No costs.

06.04.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No

PNM

To

1. The Tahsildar,
Kadavur Taluk, Karur District.
2. The Taluk Surveyor,
Kadavur Taluk, Karur District.

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C.V.KARTHIKEYAN,J.

PNM

ORDER IN
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