



W.P(MD)No.8658 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8658 of 2023

Karuppanan @ Ayyavu

... Petitioner

Vs.

1.The District Collector
Madurai District,
Madurai.

2.The Tahsildar
Madurai East Taluk,
Madurai.

3.The Town Surveyor
Madurai City Corporation,
Field Survey Section,
Madurai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent



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to conduct Survey on the E-Challan/Application dated 28.03.2023 in Survey Nos.7/22 and 7/23A2 in Melamadaï Bit-II, Madurai East Taluk, Madurai City.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.N.Muthu Vijayan - for R1 & R2
Special Government Pleader

Mr.K.K.Kannan - for R3

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the respondents, in particular, though it had been mentioned in the relief the third respondent, to the second respondent to conduct survey consequent to application dated 28.03.2023 by which, the petitioner had also paid necessary charges with respect to the lands in Survey Nos.7/22 and 7/23A2 in Melamadaï Bit-II, Madurai East Taluk, Madurai City.



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2. The learned counsel who appears for the third respondent stated that the third respondent has no jurisdiction to conduct survey over the aforementioned lands.

3. Heard the learned counsel for the petitioner and also the learned Special Government Pleader who had taken notice on behalf of the respondents 1 and 2.

4. When the matter came up on an earlier date, 18.04.2023, this Court after perusing the affidavit had stated that the petitioner should file a memo indicating the names of the persons, to whom notice should be given before survey is conducted by the second respondent.

5. A direction is given to the second respondent / Tahsildar, to issue notice to the petitioner and also to the individuals whose names are given in the memo namely, K.Rajeshwari - Plot No.41, K.Navaneethan - Plot No.40, S.Panneer Selvam - Plot No.95, J.Uthandaraman - Plot No.93, Asaithambi - Plot No.98, S.Duraisamy -



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Plot No.96, S.Deenathayalan - Plot No.94, N.Saravanan - Plot No.100, Thirumurugan - Plot No.99, Thenmozhi - Plot No.97, Tamil Selvi - Plot No.101 and thereafter, if there are no objections and if it is possible to conduct survey, conduct the survey. If objections are raised, then the objections may be noted and report may be filed. The Tahsildar may endeavour to complete the entire process within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs.

24.04.2023

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

RM



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C.V.KARTHIKEYAN, J.

RM

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