



W.P(MD)No.9950 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.9950 of 2023

Ahamed Meera Ummal

... Petitioner

Vs.

1.The Commissioner,
Thoothukudi Corporation,
Thoothukudi.

2.The Thasildar,
Thoothukudi Taluk,
Thoothukudi Town & District.

3.The Head Surveyor,
Thoothukudi Corporation,
Thoothukudi.

... 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 respondents to conduct survey in the petitioner's land and fix four boundaries in old Ward No. 28 New Ward No.40, Town S.F.No.2 Block No.16, Town Survey No.1602/7 shop and building with an extent of 0.78 cents at V.E.Road North Sarakam, Thoothukudi Corporation, Thoothukudi by way of considering the petitioner's application dated 31.03.2023.



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For Petitioner : Mr.R.Jegadeeswaran
For R1 : Mr.N.Ananda Kumar
Standing Counsel
For R2 & R3 : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction to the first respondent, Commissioner, Thoothukudi Corporation, Thoothukudi, to survey the land in old Ward No.28 New Ward No.40, Town S.F.No.2 Block No.16, Town Survey No.1602/7 shop and building with an extent of 0.78 cents at V.E.Road North Sarakam, Thoothukudi Corporation, Thoothukudi. The petitioner had given an application on 31.03.2023.

2. The learned Standing Counsel appearing on behalf of the Thoothukudi Corporation stated that on two separate occasions, notices had been issued to the petitioner to appear with relevant documents. It had been stated that the petitioner however, did not appear. It is also stated that message over phone had also been issued. A copy of one such notice had been produced before this Court, wherein the petitioner was directed to appear on 11.05.2023 at 11.00 a.m., with relevant documents.



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3. A direction is given to the petitioner that the first respondent shall issue only one more notice. If the petitioner does not produce any document then, the first respondent can take up any further action on the application given by the petitioner herein. However, if the petitioner appears, then the first respondent may take up a considered decision and if survey is to be conducted, direct the surveyor attached to the office of the first respondent, to conduct survey. The notice may be issued, giving sufficient time to ensure that it reaches the petitioner before the date scheduled for appearance before the first respondent. If it is possible, the first respondent may conduct survey. If there are objections, then a report may be filed.

4. This writ petition is disposed of. No costs.

19.06.2023

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

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C.V.KARTHIKEYAN, J.

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To

- 1.The Commissioner, Thoothukudi Corporation, Thoothukudi.
- 2.The Thasildar, Thoothukudi Taluk, Thoothukudi Town & District.
- 3.The Head Surveyor, Thoothukudi Corporation, Thoothukudi.

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