



WP(MD)No.13850 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.10.2023**

CORAM

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

W.P.(MD)No.13850 of 2020

Sikkanthar Beevi

...Petitioner

/Vs./

1.The Tahsildar,  
Thirumangalam Taluk,  
Madurai District.

2.The Taluk Surveyor,  
Thirumangalam Taluk,  
Madurai District.

3.The Inspector of Police,  
Thirumangalam Town Police Station,  
Madurai District.

4.Murugeshwari

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 to 3 to take necessary steps to measure the land and fix the four boundaries bearing S.F.No.288/5 (Town Survey No.14/14) to an extent of 0.1.18.0 Sq.mt., situated at Thirumangalam Taluk, Madurai District belonging to the petitioner with the necessary police protection by considering the petitioner's representation dated 15.06.2020 within a stipulated time in accordance with law.



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For Petitioner : Mr.M.Prabu

For Respondents : Mr.R.Ragavendran (R1 & R2)

Government Advocate

Mr.R.Sivakumar (R3)

Government Advocate

### **ORDER**

This writ petition has been filed for issuance of writ of mandamus directing the respondents 1 to 3 to survey the subject property in T.S.No.14/14 based on the representation made by the petitioner on 15.06.2020.

2. When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 and 2 submitted that an attempt was made to survey the property and that there was objection raised by the fourth respondent and therefore, survey was not done.

3. Heard Mr.M.Prabu, learned counsel for the petitioner, Mr.R.Ragavendran, learned Government Advocate for the first and second respondents and Mr.R.Sivakumar, learned Government Advocate for the third respondent.



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4. In the considered view of this Court, the entire confusion has arisen since originally, the property formed part of S.No.288/5. Thereafter, there was a sub-division and the relevant town survey numbers were allotted to all the respective owners of the property. Admittedly, the fourth respondent is the owner of T.S.No.14/10, whereas the petitioner is the owner of T.S.No.14/14. Both of them are claiming their rights through their respective title deeds. Therefore, there must be no difficulty in conducting the survey to the property, based on the title deeds of the respective parties, which will contain four boundaries. Infact the fourth respondent was permitted survey to be conducted while granting the relief which was sought for by her in WP(MD)No.16852 of 2020, disposed by this Court by order dated 06.10.2023.

5. In the light of the above discussion, there shall be a direction to the first and second respondents to conduct survey in the subject property in TS No. 14/14 at Thirumangalam Taluk, Madurai District, based on the application submitted by the petitioner. The surveyor shall take into account the title deed of the petitioner and the title deed of the fourth respondent and proceed further with the survey and complete the same. This Court expects that the fourth respondent will not create any law and order problem at the time of conducting survey.



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6. This process shall be completed by the first and second respondents within a period of four weeks from the date of receipt of a copy of this order.

This writ petition is disposed with the above directions. No costs.

**06.10.2023**

(2/2)

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

TO:

- 1.The Tahsildar,  
Thirumangalam Taluk,  
Madurai District.
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**N.ANAND VENKATESH, J.**

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Order made in  
W.P.(MD)No.13850 of 2020  
(2/2)

Dated:  
06.10.2023