



W.P.(MD).No.16620 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **11.07.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD).No.16620 of 2023

Vijayakumar

... Petitioner

Vs.

1.The Tahsildar,
Usilampatti Taluk,
Madurai District.

2.The Sub Inspector of Police,
Elumalai Police Station,
Madurai District.

3.Rathinavalli

4.Elangovan

5.Jeyamani

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to conduct survey of the petitioner's land in Survey No.105/15 of Jothilnayakanur Village, Usilampatti Taluk, Madurai District, with the protection of the second respondent based on his representation dated 18.04.2023.



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For Petitioner : Mr.D.Malaichamy
For Respondents : Mr.G.V.Vairom Santhosh
Additional Government Pleader

ORDER

The petitioner, with a grievance that his application for conducting survey in S.No.105/15, situated at Jothilnayakanur Village, Usilampatti Taluk, Madurai District, has not been considered by the first respondent, has filed the present writ petition.

2. The learned Additional Government Pleader appearing for the respondents 1 and 2, on instructions, submits that the petitioner has not produced the relevant records for conducting the survey and the third respondent is claiming right over the property. However, both the parties have not produced the documents and created a quarrel. Therefore, the first respondent has not proceeded further to survey the land.



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3. The petitioner claims that he has paid necessary fee for conducting the survey and he is having necessary documents. In the event the third respondent is raising certain objections, the first respondent shall issue notice to the third respondent and the petitioner and conduct an enquiry as provided under Section 10 of the Tamil Nadu Survey and Boundaries Act. The petitioner is also directed to produce the relevant documents during the enquiry. The first respondent shall pass appropriate orders either to measure the land or to reject the claim of the petitioner within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

11.07.2023

Index: Yes/No
Internet: Yes/No
ssb



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To

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B.PUGALENDHI, J.

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