



W.P.(MD).No.16703 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD).No.16703 of 2023

N.Pandirajan

... Petitioner

Vs.

**1.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.**

**2.The Head Surveyor,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.**

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to survey and fix four boundaries in S.No.96/5A (measuring about 6 $\frac{1}{4}$ cents), S.No.96/5A1 situated at Kalloothu Village, Usilampatti Union, Madurai District as per the provision contemplated under Sections 9 and 10 of the Tamil Nadu Survey and Boundaries Act, 1923, by considering his representation dated 21.06.2023.



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For Petitioner : Mr.K.Rajiv

For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

The petitioner claims that he has purchased a property in S.No.96/5A measuring an extent of 6 $\frac{1}{4}$ cents situated at Kalloothu Village, Usilampatti Union, Madurai District from one Ochathevar and patta was also issued in his name. On 15.05.2023, he has paid the requisite amount before the first respondent for surveying his land and fixing the boundaries. Thereafter, on 05.06.2023, when the respondents came to survey his land, one Muthumayan has restrained the respondents from surveying the land and the survey was not conducted. Therefore, he has made a representation on 21.06.2023 to the respondents to survey his land. However, no action has been taken. Hence, he has filed the present writ petition.



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2. The learned Additional Government Pleader appearing for the respondents, on instructions, submits that the respondents have considered the application of the petitioner on 01.06.2023 and visited the place for surveying the land on 05.06.2023. However, the adjacent land owners have raised certain objections and therefore, the survey was not conducted on 05.06.2023. Thereafter, the petitioner has given another representation for surveying his land on 21.06.2023. The respondents will consider the same within a reasonable time after issuing notice to the concerned parties.

3. In view of the submissions made by the learned Additional Government Pleader appearing for the respondents, this Writ Petition is disposed of, with a direction to the respondents to issue notice to the adjacent land owners and record their objections, if any. If there is no valid objection, the respondents shall proceed with the survey of the petitioner's land and even thereafter, if the adjacent land owners are raising objection, necessary police protection shall be obtained. There shall be no order as to costs.



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Index: Yes/No
Internet: Yes/No
ssb

To

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B.PUGALENDHI, J.

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