



W.P.(MD)No.10396 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.10396 of 2016

K.Muthandi Ambalam

... Petitioner

versus

1. The District Revenue Officer,
Madurai District,
Madurai.

2. The Tahsildar,
Madurai East Taluk Office,
Y.Othakadai,
Madurai – 107.

3. Krishnammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to measure the petitioner's lands in Ulaganery village in Survey No.45/14 to an extent of East to West 46 feet and South to North 90 feet as per the petitioner's documents.



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For Petitioner : Mr.G.Gomathi Sankar
For R1 and R2 : Mr.A.Kannan
Additional Government Pleader
For R3 : Mr.V.Srinivasan

ORDER

This writ petition is filed for a mandamus directing the respondents 1 and 2 to measure the petitioner's land in Ulaganery village in Survey No.45/14 to an extent of East to West 46 feet and South to North 90 feet as per his documents.

2. The learned counsel appearing for the third respondent submits that there is a dispute with regard to the extent of the property as claimed by the petitioner.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that they are prepared to measure the property as per the FMB sketch, but, the petitioner wants to measure



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the property as per his documents. He further submits that the petitioner is not entitled for the property as per document dated 30.03.1949, which is a mortgage deed.

4. It is not possible to measure the property as per the petitioner's documents. If the petitioner wants to establish his case as per the documents, it is open to him to file a suit for declaration before the concerned Court.

5. Accordingly, the writ petition is disposed of. No costs.

14.02.2023

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



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B.PUGALENDHI, J.

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