

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.19770 of 2016

Annadurai

... Petitioner

Vs.

1.The Assistant Director,
(UDR Scheme),
Collectorate Campus,
Pudukottai District.

2.The District Surveyor,
District Survey Department,
Pudukottai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to measure the land of the petitioner in S.No.385/5A of Pallavarayanpathai Village, Karambakudi Taluk, Pudukottai District and lay boundary stones on the basis of the representation of the petitioner dated 30.08.2016.

For Petitioner :Mr.K.N.Govardhanan

For Respondents :Mr.C.Baskaran
Government Advocate

ORDER

The petitioner seeks a direction to the respondents to undertake a re-survey of the land in Survey No.385/5A of Pallavarayanpathai Village, Karambakudi Taluk, Pudukottai District.

2. The petitioner states that in spite of submitting a representation dated 30.08.2016, no action was taken thereon.

3. Learned Government Advocate for the respondents points out that the representation discloses that the relevant land was surveyed previously by a Firka Surveyor. He further submits that the petitioner has not indicated the discrepancy or error in the previous survey in the representation.

4. On examining the representation, it is evident that the petitioner has not indicated the deficiency in the previous survey conducted by the Firka Surveyor. Unless such deficiency is indicated, the petitioner is not entitled to a re-survey of the property.

5. Therefore, W.P(MD).No.19770 of 2016 is disposed of by granting leave to the petitioner to submit a fresh representation seeking re-survey. Such fresh representation shall indicate the deficiency in the previous survey. All necessary documents shall also be enclosed with the request for re-survey. If an appropriate application for re-survey is submitted, the respondents shall consider and dispose of the same within a reasonable time. There shall be no order as to costs.

29.03.2023

NCC :No
Internet :Yes
Index :No
ssb

To

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(UDR Scheme),
Collectorate Campus,
Pudukottai District.
- 2.The District Surveyor,
District Survey Department,
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SENTHILKUMAR RAMAMOORTHY, J.

ssb

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