



W.P.(MD)No.673 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 11.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.673 of 2024

R.Saminathan

...Petitioner

/Vs./

The Tahsildar,
Usilampatti Taluk,
Madurai District.

...Respondent

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent herein to conduct survey, measurement and fix boundaries of the petitioner's property in Survey No.212/1A3C2 and 212/51 Karumathur Village, Usilampatti, Madurai District, covered by Patta No. 5901 standing in the name of petitioner as per online application dated 13.07.2023, within a reasonable time.

For Petitioner : Mr.K.Appadurai

For Respondent : Mr.SRA.Ramachandran

Additional Government Pleader



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ORDER

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This writ petition has been filed seeking for issuance of Writ of Mandamus, directing the respondent herein to conduct survey, measurement and fix boundaries of the petitioner's property in Survey No.212/1A3C2 and 212/51 Karumathur Village, Usilampatti, Madurai District, covered by Patta No.5901 standing in the name of petitioner as per online application dated 13.07.2023, within a reasonable time fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner is in possession and enjoyment of the subject property by way of a registered sale deed. The petitioner seeks for survey of the property and he has also paid necessary fee for the same. Since the same has not been considered till date, this writ petition has been filed.



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4. The learned Additional Government Pleader appearing for the respondent submits that survey has already been conducted on 13.12.2023, which has been denied by the learned counsel appearing for the petitioner stating that when the survey authorities came for survey of the subject property, since there was some objection, they only obtained signature in the form, which was also filled by them. He further submits that to put an end to this issue, the survey authorities will measure the subject property in the presence of the petitioner within the time stipulated by this Court.

5. Considering the submissions made by the learned Additional Government Pleader, this Court directs the respondent to conduct survey of the subject property by considering the application made by the petitioner dated 13.07.2023, in the presence of the petitioner and any other necessary party, whom the respondent deems fit to put on notice within a period of four [4] weeks from the date of receipt of a copy of this order. It is made clear that no more survey will be done by the respondent, since survey has already been done, which has been denied by the petitioner.



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WEB COPY 6. With the above directions, this writ petition is disposed of. No costs.

11.01.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No



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TO:-
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The Tahsildar,
Usilampatti Taluk,
Madurai District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.673 of 2024

Dated:
11.01.2024