



W.P(MD)No.6196 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.12.2024**

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.6196 of 2023

Wilson Gynanamuthu

... Petitioner

Vs.

1.The Thasildar,
Tahsildar Office,
Madurai North,
Madurai District.

2.The Head Surveyor,
Tahsildar Office,
Madurai North,
Madurai District.

3.The Inspector of Police,
Jaihindhpuram Police Station,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to survey, demarcate four boundaries of petitioner's property situated in Survey No.12/5B, Periyapatti Village, Madurai North Taluk, Madurai District admeasuring 0.14.55 ares (Patta No.588) with the help of the police protection to be accorded by the third



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respondent by considering his representation, dated 02.01.2023 and pass such further or other orders as this Court.

For Petitioner : Mr.R.L.Dhilipan Pandian
For Respondents : Mr.K.Gnanasekaran
Government Advocate

ORDER

This writ petition is filed for a direction to the second respondent to survey, demarcate the four boundaries of petitioner's lands in Survey No.12/5B, Periyapatti Village, Madurai North Taluk, Madurai District admeasuring 0.14.55 ares (Patta No.588) with the help of the police protection.

2. The learned Government Advocate appearing for the respondents produced a copy of the order of this Court, dated 10.06.2024, passed in W.P(MD)No.12068 of 2024, and submitted that the very same petitioner filed the said writ petition for the same prayer and this Court disposed of the writ petition with directions issued therein. The learned Government Advocate for the respondents therefore submitted that writ petition sans merit and the same deserved to be dismissed. The order passed by this Court in the earlier writ petition



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reads as follows:

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"3. The second respondent shall pass formal order on the objection received from the objector. The objector shall be given six weeks time from the date of receipt of a copy of the order to be passed by the second respondent. If the order is in favour of the petitioner, at the end of the breathing period of six weeks, the objector is unable to obtain any interim order, survey shall be held. If the order is in favour of the objector and against the petitioner, the petitioner has to move the Court once again. The second respondent as well as the concerned authority will bear in mind that the object of conducting survey is to lay four boundaries and there shall not be any dispossession from permitting put up of fence. In other words, status quo on ground that originally prevailed prior to survey shall continue to be maintained. The second respondent is directed to pass order on the objection received from the objector within a period of three weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter."

3. In the light of the above directions issued by this Court, I find no merit in the present writ petition and hence, the same is dismissed. Needless to state that the respondents shall comply with the aforesaid



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directions of this Court in letter and spirit. There shall be no order as to costs.

03.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Thasildar,
Tahsildar Office,
Madurai North,
Madurai District.
- 2.The Head Surveyor,
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N.MALA, J.

BTR

Order made in
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03.12.2024