



W.P(MD)No.12068 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12068 of 2024

Wilson Gnananmuthu

... Petitioner

Vs.

1.The District Collector,
Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai District.

3.The Firka Surveyor,
Chathirapatti Firka,
Madurai North Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to survey, measure and demarcate the subject property in Resurvey No.12/5 measuring 36 Cents in Periyapatti Village, Madurai North Taluk, Madurai District and issue a survey sketch and report to the petitioner.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.N.GA.Nataraj
Government Advocate for R1 to R3



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ORDER

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Heard both sides.

2. When the matter was taken up for hearing, the learned Government Advocate pointed out that objection has been received from one Martin Luther @ Martin Luther Rajamanickam. It appears that the said objector has already filed O.S.No.1145 of 2014 on the file of the 1st Additional Sub Court, Madurai. It appears that patta is in the name of the petitioner.

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



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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.

4. The Writ Petition is disposed of. No costs.

10.06.2024

Index : Yes / No
Internet : Yes/ No
rmi

To

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G.R.SWAMINATHAN, J.

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