

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.20021 of 2023

P.Paraman

..Petitioner

Vs

1.The Assistant Director,
(Land and Survey),
O/o the Collectorate,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Madurai District.

3.The Head Surveyor,
Usilampatti Taluk,
Madurai District.

4.The Inspector of Police,
Usilampatti Taluk 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 respondent Nos.1 to 3 herein to conduct survey and demarcate four boundaries to the property comprised in Old S.No.176/7 New S.No. 176/7A1A situated at Nakkalapatti Village, Usilampatti Taluk, Madurai District with the aid of the 4th respondent within a stipulated time period in accordance with law on the basis of the application dated 24.01.2020.

For Petitioner : Mr.C.Ezhilarasu

For Respondents : Mrs.K.Christy Thebaral
Addl. Govt. Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus directing the respondent Nos.1 to 3 herein to conduct survey and demarcate four boundaries to the property comprised in Old S.No.176/7, New S.No.176/7A1A situated at Nakkalapatti Village, Usilampatti Taluk, Madurai District with the aid of the 4th respondent on the basis of the application dated 24.01.2020.

2. Heard the learned counsel appearing for the petitioner and the learned learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Government Advocate (crl. side) appearing for the fourth respondent.

3. According to the petitioner, he purchased the part of the land comprised in the subject matter survey number. In order to demarcate and fence his property, he made application to the respondents on 24.01.2020. Thereafter, he sent a representation dated 15.03.2023 to the respondent. Since no action has been taken, he filed the present writ petition.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that appropriate direction may be given to the respondents to consider the petitioner's application dated 24.01.2020, in accordance with law, within a time frame.

5.Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to consider the petitioner's application dated 24.01.2020 after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence in the subject matter survey numbers and pass orders in accordance with law and communicate the decision taken by the respondents to the petitioner. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above directions. No costs.

24.01.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

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(Land and Survey),
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V.BHAVANI SUBBAROYAN, J.

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