



W.P.(MD) No.21191 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21191 of 2024

M.Surendran

.. Petitioner

Vs.

1.The Tahsildar,
Melur Taluk,
Madurai District.

2.The Taluk Surveyor,
Melur Taluk,
Madurai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first and second respondents to survey and mark boundaries of the petitioner's house site in SR No.204/2 (Old No.703/6) comprising 22' x 18½' situated in No. 3/54 Pasumpon Street, Navinipatti, Melur Taluk, Madurai District based on the petitioner's representation dated 10.07.2024 within a time to be stipulated by this Court.

For Petitioner : Mr.M.Rajendran



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For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The petitioner has filed this writ petition for a mandamus to the first and second respondents to survey and mark boundaries of his house site in SR No.204/2 (Old No.703/6) comprising 22' x 18½' situate in No. 3/54 Pasumpon Street, Navinipatti, Melur Taluk, Madurai District based on his representation dated 10.07.2024.

2. The case of the petitioner is that the property measuring an extent of 22' x 38' in the aforesaid survey number was purchased by his father Manian in the year 1955 and a house was constructed by him. Thereafter, the site was divided into two and a half portion to an extent of 22' x 18½' was granted to the petitioner as gift on 19.11.2019 and the petitioner started living with his family in the said premise by duly remitting all the taxes. Thereafter, the petitioner left Malaysia in the year 2022 and using his absence, his neighbours Prabu, Ilango, Sarasu and



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Mahalakshmi quarrelled with his wife and trespassed into his property.

Therefore, in order to protect and safeguard his property, the petitioner decided to survey his property. He has also sent a representation to the respondents on 10.07.2024 and paid necessary fee. But, there has been no response on the part of the respondents. Therefore, the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as on 10.07.2024, a mandamus is issued to the respondents to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid



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exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

05.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Melur Taluk,
Madurai District.

2.The Taluk Surveyor,
Melur Taluk,
Madurai District.



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P.T.ASHA, J.

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