



W.P.(MD)No.21777 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P.(MD)No.21777 of 2018**

P.N.Dhanasekaran

... Petitioner

versus

1. The District Collector,  
Madurai District,  
Madurai.

2. The Tahsildar,  
Tahsildar Circle,  
Madurai South Taluk,  
Madurai.

3. The Surveyor,  
Revenue Divisional Office,  
Madurai South,  
Madurai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to survey the land in Survey No.298/19 with an extent of 1817 sq. ft is situated at Madakkulam Village, Madurai South Taluk



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and to take appropriate action based on the petitioner's representation dated 01.10.2018.

For Petitioner : Mr.V.Jeyaram

For Respondents : Mr.R.Suresh Kumar,  
Additional Government Pleader

### **ORDER**

The petitioner with a grievance that his application dated 01.10.2018 requesting the respondents to conduct survey has not been considered, has filed this writ petition.

2. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's father has purchased a piece of property from one Mohammed Saleem, S/o.Sirajudheen by way of a registered document. Originally, the land in Survey No.298/19 stands in the name of six persons, including Sirajudheen. The petitioner has not produced any document that the said Mohammed Saleem is the only legal heir of Sirajudheen. Therefore, in the absence of any



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document placed that the said Mohammed Saleem is the only legal heir of Sirajudheen, the respondents are not in a position to conduct survey.

3. The learned counsel appearing for the petitioner submits that the petitioner is having all necessary documents and he is ready to produce all the documents before the respondents.

4. This Court considered the rival submissions made.

5. Since there is a doubt with regard to the ownership of the property, the respondents have refused to conduct survey. The petitioner claims that he is having all necessary documents and he is ready to produce all documents before the respondents.

6. Therefore, the petitioner shall appear before the respondents 2 and 3 and produce all necessary documents sought by them. On satisfaction of the same, the respondents 2 and 3 shall take a decision,



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after issuing notice to all necessary parties, within a period of six weeks  
from the date of receipt of a copy of this order.

6. Accordingly, this writ petition is disposed of. No costs.

**07.02.2024**

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,  
Madurai District,  
Madurai.
2. The Tahsildar,  
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Madurai South Taluk,  
Madurai.
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**B.PUGALENDHI, J.**

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