



W.P(MD)No.26523 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26523 of 2023

and

W.M.P.(MD)No.22802 of 2023

and

W.M.P.(MD)No.2745 of 2024

R.Meena

... Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Madurai.

2.The Tahsildar,
O/o. The Tahsildar,
Achampattu,
Madurai.

3.The Town Surveyor,
O/o. The Town Surveyor,
Surveying Department,
Madurai Corporation,
Anna Maligai, Madurai.

4.S.Senthil Vel

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice dated 26.10.2023 issued by the



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Respondent No.3 and quash the same and consequently, restrain the Respondent No.3 from conducting any survey on the date mentioned in the impugned notice or any other date in future during the pendency of the dispute before the civil court.

For Petitioner : Mr.J.Peer Mohammed

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 to R3.
Mr.R.Venkaetesan,
For M/s.Right Law Associates for R4.

ORDER

Heard both sides.

2.The petitioner challenges the impugned notice dated 26.10.2023 proposing to conduct survey. It is seen that the property originally belonged to one Karupayee Ammal. The said Karupayee Ammal had four children namely, Pounraj, Rajangam, Selvaraj and Marimuthu @ Arichandran. The petitioner is the wife of Rajangam. The fourth respondent is the subsequent purchaser from Marimuthu's wife. The allegation is that Marimuthu had sold in excess of land to which he was entitled to. In this regard, a civil suit is also pending. Be that as it may, the petitioner cannot have objection if survey is conducted as per



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document dated 07.05.1993 (Document No.58/1993). Survey shall be conducted on 25.03.2024 from 09.00 am onwards. The parties will not receive any fresh notice.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

05.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The District Collector,
O/o. The District Collector,
Madurai.
- 2.The Tahsildar,
O/o. The Tahsildar,
Achampattu,
Madurai.
- 3.The Town Surveyor,
O/o. The Town Surveyor,
Surveying Department,
Madurai Corporation,
Anna Maligai, Madurai.



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G.R.SWAMINATHAN, J.

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