



W.P.(MD)No.1431 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.1431 of 2024

Duraiappan

... Petitioner

/Vs./

1.The Tahsildar,
O/o. the Taluk Office,
Kulithalai,
Karur District.

2.Manoharan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on application dated 02.12.2022 for carrying out measurement in respect of old survey No.492/5 new Survey No. 492/5A1A in patta No.465 at Nadupattipalam, Pannikampatti, Maruthur Village, Kulithalai Taluk, Karur District within the time stipulated by this Court.

For Petitioner	: Mr.V.Illanchezian
For R1	: Mr.S.Kameswaran
	Government Advocate



W.P.(MD)No.1431 of 2024

WEB COPY

For R2 : Mr.S.Deenadhayalan

ORDER

Heard Mr.V.Illanchezian, learned counsel for the petitioner, Mr.S.Kameswaran, learned Government Advocate for the first respondent and Mr.S.Deenadhayalan, learned counsel for the second respondent.

2.The writ petition has been filed for the issuance of a Writ of Mandamus to direct the first respondent to pass orders on the petitioner's application dated 02.12.2022 for carrying out survey of the petitioner's property comprised in patta No.465 at Karur District.

3.It has been brought to the notice of this Court, vide written instructions dated 10.02.2024, that because of the objection of the second respondent, the survey could not be conducted earlier. However, today, the learned Government Advocate appearing for the first respondent, on instructions, would submit that the application of the petitioner, dated 02.12.2022, has been rejected on the ground that the extent mentioned in



W.P.(MD)No.1431 of 2024

WEB COPY

the sale deed and the extent on site as well as the four boundaries are not tallying. Hence, the survey cannot be conducted.

4.In view of the orders already passed on the petitioner's application, no positive direction can be issued to the writ petitioner in this writ petition, which is only for a Mandamus. However, liberty is given to the writ petitioner to make appropriate application before the concerned authority, after complying with the defects that have been pointed out by the authorities while rejecting the petitioner's application dated 02.12.2022. In the event of survey being conducted based on the fresh application, the same shall be conducted in the presence of the second respondent. The survey shall be conducted after giving advance notice to the second respondent as well as the other interested parties.

5.With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
NCC : Yes / No
mm

17.03.2025



W.P.(MD)No.1431 of 2024

WEB COPY

TO:-

The Tahsildar,
O/o. the Taluk Office,
Kulithalai,
Karur District.



WEB COPY



W.P.(MD)No.1431 of 2024

P.B. BALAJI, J.

mm

Order made in
W.P.(MD)No.1431 of 2024

Dated:
17.03.2025