



W.P.(MD)No.2978 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.2978 of 2025

Jamuna

... Petitioner

/Vs./

1.The Tahsildhar,
Kayathar Taluk,
Thoothukudi District.

2.The Head Surveyor,
Kayathar Taluk,
Thoothukudi District.

3.Balakrishnan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the petitioner's land being S.Nos.170/1B1B and 170/1B1C an extent of 25 cents situated at Thirumangalakuruchi Village, Kayathar Taluk, Thoothukudi District based on the petitioner's representation dated 20.12.2024 within a stipulated time fixed by this Court.



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For Petitioner : Mr.M.Perumal
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has filed the writ petition seeking issuance of writ of mandamus to direct the respondents to survey her land in S.Nos. 170/1B1B and 170/1B1C an extent of 25 cents situated at Thirumangalakuruchi Village, Kayathar Taluk, Thoothukudi District based on her representation dated 20.12.2024.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. I have heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The case of the petitioner is that the online application has been made for survey on 22.05.2024 after remitting the necessary fees, however, the respondents have not taken any action on the said



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application. In the meantime, civil suit has been filed by one Ponraj, wherein, the petitioner's vendor appears to be a party defendant. However, the third respondent, who is not the plaintiff in the said suit, is now objected to the survey being made at the request of the petitioner.

5. The learned Additional Government Pleader appearing for the respondents 1 & 2 would submit that suitable direction may be issued directing the survey to be conducted in the presence of the petitioner, third respondent as well as the plaintiff in O.S.No.236 of 2017, on the file of the District Munsif Court, Kovilatti. The affidavit also disclosed that there is no interim order in the said suit and therefore, there is no legal embargo to the respondents to conduct survey and pass orders.

6. Considering the above, the respondents 1 & 2 are directed to conduct survey and pass orders on the petitioner's application dated 22.05.2024 after affording an opportunity of hearing to the petitioner, third respondent and also the plaintiff in O.S.No.236 of 2017 on the file of the District Munsif Court, Kovilpatti, if necessary, with the aid of the jurisdictional police on merits and in accordance with law, within a



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period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of with the above direction. No costs.

Index : Yes / No
NCC : Yes / No
am

03.02.2025

TO:-

- 1.The Tahsildhar,
Kayathar Taluk,
Thoothukudi District.
- 2.The Head Surveyor,
Kayathar Taluk,
Thoothukudi District.



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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.2978 of 2025

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03.02.2025