



W.P.(MD) No.3859 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3859 of 2025

Karuppiah

... Petitioner

VS.

- 1.The Assistant Commissioner,
Zone 4 South,
Madurai Corporation,
Madurai.
- 2.The Chief Engineer,
Madurai Corporation,
Anna Maligai, Madurai.
- 3.The Executive Engineer,
(Amrut. Arsas, Ugss Zone No.IV),
Madurai Corporation, Madurai City.
- 4.The Tahsildar,
Taluk Office,
Madurai South,
Madurai.
- 5.V.Kumaresan
- 6.Guruvammal
- 7.Panju

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the fourth respondent to survey and demarcate the land comprised in S.No.37/5 to an extent of 9 cents situated at Iravadhanallur, Madurai South Taluk, Madurai and consequently direct the respondents 1 to 3 to remove the pipeline laid under the (Amrut. Arsas, Ugss Zone No.IV) of the land belonging to me and my pangalis and also direct the respondents to pay the compensation to him for the damages cause within the time frame that may be stipulated by this Court.

For Petitioners : Mr.R.Murugan

For Respondents : Mr.K.Sivabalan
Standing Counsel for R1 to R3

Mr.S.Kameswaran
Government Advocate for R4

ORDER

Though the petitioner seeks larger relief of not only survey and demarcation of the subject lands in S.No.37/5 measuring 9 cents, but also a consequential prayer to remove the pipeline laid under the land and also seeking compensation to the tune of Rs.50,000/- towards damages, the learned counsel for the petitioner submits that the petitioner is restricting the relief to only survey and demarcation and has in fact already made an endorsement even at the time of the



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WEB COPY numbering of the writ petition, giving up the other consequential relief of removal of the pipeline as well as compensation.

2.Considering the limited relief sought by the petitioner himself, restricting the prayer to survey and demarcation and in which regard, he has made an application on 27.12.2023 for survey and demarcation and also followed it up with representation on 06.01.2025, it would be suffice to issue a direction to the fourth respondent to conduct a survey and demarcate the four boundaries of the petitioner's property in furtherance of his application, dated 27.12.2023. The petitioner shall satisfy the authorities at the time of survey with the latest revenue documents apart from the title deeds, evidencing ownership of the petitioner. It is also admittedly, the case of the petitioner that the property is jointly owned by named four members and hence the petitioner shall either get a consent from the co-pattadhars or the survey shall be conducted only in the presence of the co-pattadhars. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that the fourth respondent also issue notice to all interested parties if any.



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WEB COPY 3. With the above directions, this Writ Petition is disposed of. No costs.

13.02.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1. The Assistant Commissioner,
Zone 4 South,
Madurai Corporation,
Madurai.
2. The Chief Engineer,
Madurai Corporation,
Anna Maligai, Madurai.
3. The Executive Engineer,
(Amrut. Arsas, Ugss Zone No.IV),
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P.B.BALAJI, J.

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