



W.P.(MD)No.3752 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3752 of 2025

V.Jeyapaul Sathiasaran

.... Petitioner

/Vs./

1.The Tahsildar,
Madurai West Taluk,
Theni Main Road,
Virattipathur, Madurai-14.

2.The Head Surveyor,
Madurai West Taluk,
Theni Main Raod,
Virattipathu, Madurai-14.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey, demarcate and determine the boundary of the petitioner's residential Plot Nos.39, located in 'Velusamy' Nagar situated in Survey Nos.51/4C and 51/2B, Sambakkudi Village, Madurai West Taluk, Madurai District based on the petitioner's application dated 08.07.2024 and consequently direct the respondents to provide a Survey Report to him within a specific period as fixed by this Court.



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For Petitioner : Mr.S.Balaji

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The petitioner seeks a relief of issuance of writ of mandamus to direct the respondents to survey, demarcate and determine the boundaries of his residential Plot No.39, located in 'Velusamy' Nagar situated in Survey Nos.51/4C and 51/2B, Sambakkudi Village, Madurai West Taluk, Madurai District based on his application, dated 08.07.2024.

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

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



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4. The petitioner has made an application for surveying his lands on 08.07.2024 and thereafter, has followed it up with the representation dated 30.10.2024. According to the petitioner, the survey has necessitated in view of the errors that had crept in the sale deed subsequently identified. The petitioner required a survey, so that, he can have a proper rectification in his favour. It is only in this context, the petitioner has sought for survey. The petitioner has admittedly paid the requisite fee and made proper online application. There is no impediment for the respondents to conduct the survey based on the petitioner's application and fix the boundaries to enable the petitioner to take the other legal steps to validate his title under purchase, bearing document No.5672/2004 and 10526/2019.

5. The learned Government Advocate appearing for the respondents would submit that it appears from the records filed before this Court, the petitioner has not remitted the requisite fee.

6. Considering the above, the first respondent is directed to conduct a survey, demarcate and determine the boundaries of plot No.39



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belonging to the petitioner based on the petitioner's application, dated 08.07.2024 within a period of eight weeks from the date of receipt of a copy of this order.

7. It is made clear that in the event of the petitioner having not paid the necessary fee for conducting the survey, then the petitioner shall pay the same to the respondents, for processing the application for survey. Such payment, if necessary, shall be made within a period of 2 weeks from the date of receipt of a copy of this order. On receipt of the applicable fees, the first respondent shall conduct the survey and fix the boundaries of plot No.39 within a period of 8 weeks, thereafter. The petitioner shall be entitled to get a copy of the survey report on payment of necessary charges. The first respondent, while conducting the survey with the help of second respondent, in the event of requiring any police protection, to avoid any breach of peace at the time of survey, it is open to the first respondent to seek the assistance of the police officials, who shall provide sufficient protection to the survey. The respondents shall also issue notice to the adjoining neighbours and any other interested parties and allow them to participate in the survey proceedings.



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8. The writ petition is disposed of with the above directions.

No costs.

Index : Yes / No

NCC : Yes / No

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P.B. BALAJI, J.

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Order made in
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Dated:
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