



W.P.(MD)No.4361 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4361 of 2025

Meenalochini

.... Petitioner

/Vs./

1.The Tahsildar,
The Tahsildar Office,
Madurai District.

2.The Head Surveyor,
Tahsildar Office,
Narasingam Post,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to survey and fix the boundary line to the petitioner's property bearing Survey No.66/4B2A, Patta No.504, to the extent of 53 cents out of 65 cents in Arumbanur II Bit, Madurai East Taluk, Madurai District based on her representation dated 24.01.2024.

For Petitioner : Mr.M.Abdul Rashith
For Respondents : Mr.M.Lingadurai
Special Government Pleader



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ORDER

With the consent of the parties, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner seeks issuance of a Writ of Mandamus to direct the respondents 1 & 2 to survey and fix the boundary lines on the petitioner's property in survey No.66/4B covered by patta NO.504 to an extent of 52 cents out of 65 cents in Aramburu second bit, Madurai East Taluk.

3. The petitioner has made a representation on 24.01.2025 seeking survey to be conducted and thereafter, fix boundary lines.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. Admittedly, the Patta No.504 stands in joint name of the sons of one Veerana Kone. According to the petitioner, the petitioner has



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already acquired 52 cents out of total 65 cents and the remaining 13 cents is in possession and enjoyment of one of the sons of Veerana Kone by name Thangarajan. Admittedly, there is no sub-division of the 65 cents available at the hands of the petitioner and Mr.Thangarajan.

6. In view of the above, unless the petitioner is able to get a sub-division or No Objection Certificate from the Thangarajan, the other co-owners, the survey authorities may not be in a position to conduct a proper survey and fix the boundary lines.

7. More over, it is also the contention of the petitioner that the said Thangarajan had sold a portion of his entitlement to one Ravindran in and by the sale deed dated 18.02.1992 in document No. 235/92, conveying the western portion of his property. However, while carrying out the sub-division, the Tashildar has erroneously shown the eastern portion being conveyed by Mr.Thangarajan.

8. According to the counsel for the petitioner, the eastern portion is in the joint possession and enjoyment of the petitioner and his



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uncle Rangarajan and only in view of the said mistake committed by the Tashildar, the respondents are not coming forward to conduct the survey.

9. Be that as it may, since 65 cents is still in joint possession and enjoyment of the petitioner and her uncle Thangaraj, the petitioner shall get No Objection Certificate from the Mr.Thangarajan and on such No Objection Certificate being produced, after issuing notice to the purchaser Ravindran, the respondents shall conduct the survey in the presence of the petitioner, Thangarajan as well as Mr.Ravindran, purchaser from Mr.Thangarajan. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of the No Objection Certificate.

10. With the above direction, the writ petition is disposed of.

No costs.

Index : Yes / No
NCC : Yes / No
am

19.02.2025



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To

- 1.The Tahsildar,
The Tahsildar Office,
Madurai District.
- 2.The Head Surveyor,
Tahsildar Office,
Narasingam Post,
Madurai District.



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P.B. BALAJI, J.

am

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