



W.P.(MD)No.5350 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5350 of 2025

Khabiba Begam

... Petitioner

/Vs./

1. The Tahsildar,
Office of the Tahsildar,
Madurai East,
Madurai.

2. The Head Survey,
O/o.The Tahsildar,
Madurai East,
Madurai.

3. Abbas

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the land in connection with Survey No.102/2K, 102/2L, 102/2M situated at Ayanagadimangalam, Madurai North Taluk, Madurai by considering the petitioner's application dated 20.11.2024.

For Petitioner

: Mr.D.S.Haroon Rasheed

For Respondent Nos.1 & 2

: Mr.M.Lingadurai
Special Government Pleader



W.P.(MD)No.5350 of 2025

WEB COPY

ORDER

The petitioner seeks issuance of Writ of Mandamus to direct the respondents to survey the petitioner's land in Survey No.102/2K, 102/2L, 102/2M situated at Ayanagadimangalam, Madurai North Taluk, Madurai by considering the petitioner's application dated 20.11.2024.

2. The relief sought for by the petitioner is to direct the respondents to pass orders on the application for survey dated 20.11.2024, which has not been conducted despite repeated reminders given to the respondents.

3. Considering the limited scope of relief sought for in the writ petition and with the consent of both parties, the Writ Petition is taken up for final disposal.

4. The learned Special Government Pleader would invite my attention to the Patta No.153, based on which the petitioner is claiming his right and survey of the property. The patta also reflects her



W.P.(MD)No.5350 of 2025

WEB COPY

husband's name as Mohammed Ismail. However, he would point out that in the affidavit her husband's name was reflected as Sikkandhar. However, the learned Counsel for the petitioner clarified the mistake, stating that Sikkandhar is the father of the petitioner and Mohammed Ismail alone is the husband of the petitioner. The same was rightly reflected in the revenue records. The said Mohammed Ismail had also passed away.

5. In view of the above, there can be no issue regarding the mismatch as it is clarified and there can be no legal impediment for the respondents to conduct a survey based on the petitioner's application dated 20.11.2024.

6. The learned Counsel for the petitioner invited my attention to the averments pertaining to the obstruction by the adjacent land owner, third respondent causing disturbance to the peaceful enjoyment and seeks the aid of the police officials.



W.P.(MD)No.5350 of 2025

WEB COPY

7. In view of the above, this writ petition is disposed of with a direction to the first respondent, with the assistance of the second respondent, to conduct survey of the petitioner's land based on the application submitted by the petitioner dated 20.11.2024. The first respondent shall give an intimation to the jurisdictional police officials and on such request made by the first respondent, the police officials shall ensure that sufficient police force is available to assist the survey officials at the time of survey, to ensure conduct of a peaceful survey. It is needless to say that survey shall be conducted in the presence of the petitioner and the third respondent. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above said observations, this writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
gvn

27.02.2025



WEB COPY



W.P.(MD)No.5350 of 2025

TO:-

1. The Tahsildar,
Office of the Tahsildar,
Madurai East,
Madurai.

2. The Head Survey,
O/o.The Tahsildar,
Madurai East,
Madurai.



WEB COPY



W.P.(MD)No.5350 of 2025

P.B. BALAJI, J.

gvn

Order made in
W.P.(MD)No.5350 of 2025

Dated:
27.02.2025