



W.P.(MD)No.5952 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.5952 of 2025

Ramar

: Petitioner

Vs.

1.The District Collector,
Collectorate,
Madurai District.

2.The Tahsildar,
Peraiyur Taluk,
Madurai District.

3.The Head Surveyor,
Peraiyur Taluk,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to survey the petitioner's property in Survey No.236/8B with an extent of 0.01.85.0 sq. mt situated at Seelnaickanpatti, Peraiyur Taluk, Madurai District based on the petitioner's application dated 02.07.2024 within the period that may be stipulated by this Court.



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For Petitioner : Mr.K.Anbumanikandantamilsooriyan
For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The petitioner seeks a direction to the respondents to conduct survey of S.No.236/8B based on the petitioner's application dated 02.07.2024.

2.When the matter was taken up for admission, learned Government Advocate would submit that the petitioner's application for survey was disposed of by conducting a survey on 24.09.2024. However, learned Counsel for the petitioner would submit that the copy of the survey report has not been furnished to the petitioner. The petitioner further states that even though the affidavit does not disclose the said factum of survey being conducted on 24.09.2024, in fact survey was conducted in the presence of the petitioner and the objection to the petitioner that the survey cannot be restricted to three cents but had to be in larger extent of 4.5 cents was not acceded to by the authorities and only under such circumstances, the petitioner is now seeking for re-survey.



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3.As long as the petitioner's application dated 02.07.2024

has been acted upon by conducting a survey on 24.09.2024, a resurvey cannot be directed. However, to seek fresh survey in respect of the same survey number and subject to satisfying the officials regarding the petitioner's entitlement to the entire 4.5 cents, over and above three cents, for which survey has already been conducted and subject to payment of necessary charges for the resurvey, the respondents shall conduct survey based on the petitioner's proposed application for survey of the entire 4.5 cents. The said application shall be considered on merits and disposed of within a period of twelve [12] weeks from the date of receipt of the said application.

4.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

05.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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