



W.P.(MD)No.7099 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.7099 of 2025

A.Aathimoolam

.... Petitioner

/Vs./

1. The District Collector
Madurai District, Madurai.

2. The Tahsildar
Kallikkudi Taluk, Madurai District. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the land comprised in S.No.220/4A1-A1 to an extent of 6 1/2 cents out of 2 acres and 30 cents at Sivarakkottai Village, Kallikkudi Taluk, Madurai District in the light of the proceedings of the 1st respondent in O.Mu.A5/7178/2024, dated 18.12.2024.

For Petitioner : Mr.M.Natarajan

For Respondents : Mr.M.Lingadurai
Special Government Pleader



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ORDER

The petitioner seeks issuance of a Writ of Mandamus to dispose of the petitioner's survey application dated 04.12.2024. The petitioner has also petitioned the District Collector, who by communication dated 18.12.2024 has forwarded the same to the second respondent, directing the second respondent to take action on the petitioner's application.

2. With the consent of the counsel on either side, the writ petition is taken up for final disposal at the admission stage.

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

4. The learned Special Government Pleader, inviting my attention to the joint patta would submit that unless the other Pattadars give no objection, survey authorities may not be in a position to conduct survey. The learned counsel for the petitioner submits that the survey authorities can issue notice to all interested parties and thereafter, conduct a survey. The petitioner may not be able to get a consent or No Objection from all the other pattathars, who may not be willing to cooperate. However, the



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learned Special Government Pleader would submit that the joint patta is in respect of undivided lands and therefore, as a first step, subdivision has to be effected, only thereafter, survey can be conducted.

5. On a reading of the affidavit, I do not find that the petitioner has made an application for subdivision as yet, and the only representation given is in respect of the survey to be conducted. Therefore, the writ petition is disposed of with a direction to the petitioner to make a proper application for subdivision and on such application being made, after hearing all interested parties, the second respondent shall pass orders on the petitioner's representation for subdivision and thereafter, subject to the final orders regarding subdivision, necessary survey may be conducted. The said exercise shall be completed within a period of twelve weeks from the date of receipt application for subdivision.

6. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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To

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Madurai District, Madurai.
2. The Tahsildar
Kallikkudi Taluk, Madurai District.



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P.B. BALAJI, J.

am

Order made in
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