



W.P.(MD)No.9569 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.9569 of 2024

R.Indrajith

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North,
Madurai.

3.The Head Surveyor,
North Taluk,
Madurai.

4.S.Kannadhasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to measure the petitioner's land which situated in Survey No. 43/3A3B and Survey No. 55/1A2 Anaiyur Bit 2 Village, North taluk, Madurai district, total extent of 3000 sq.ft by identifying the four boundaries based on the petitioner's application and representation, dated 24.02.2023 and 06.02.2024 within a period stipulated by this Court.



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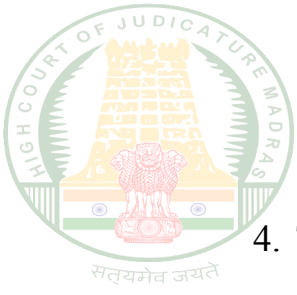
For Petitioner : Mr. R.Srinivasan
For R1 – R3 : Mr.B.Saravanan
Additional Government Pleader
For R4 : Mr.V.Malaiyendran

ORDER

The petitioner seeks the limited relief of issuance of writ of mandamus to direct the survey to be conducted based on the petitioner's application, dated 24.02.2023 which was also followed up with the representation, dated 06.02.2024.

2. The petitioner has sought for survey based on registered sale deed as well as mutation of patta in the name of the petitioner and his brother. Therefore, there can be no impediment for the survey to be conducted and the petitioner's application being disposed of.

3. The learned counsel for the 4th respondent submits that he is the adjacent land owner and survey should be conducted in his presence and any objection of the 4th respondent should also be considered.



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4. The writ petition is therefore disposed of with a direction to the 2nd respondent with the assistance of the 3rd respondent to survey the petitioner's property based on the application, dated 24.02.2023 and representation, dated 06.02.2024 in accordance with law after hearing the objections of the 4th respondent, if any. If the first respondent requires the assistance of the police officials to prevent any law and order situation from arising at the time of survey, then the first respondent shall make necessary requests to the jurisdictional police officials, who shall ensure that sufficient police protection is provided to the 2nd respondent to conduct the survey. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

5. In view of the above, this Writ Petition stands disposed of. No costs.

19.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

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WEB **To:** PY

- 1.The District Collector,
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- 3.The Head Surveyor,
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P.B.BALAJI, J.

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