



W.P.(MD)No.12234 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.12234 of 2025

P.Sathiyamoorthy

.... Petitioner

/Vs/

1. The District Collector
Madurai District, Madurai.
2. The Tahsildar
Madurai West Taluk, Madurai District.
3. The Head Surveyor
Land Survey Department,
Madurai West Taluk,
Madurai District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to conduct survey as per Tamilnadu survey and Boundaries Act 1923 and to fix boundaries in respect of lands comprised in Old Survey Nos.431/2 and 432/1 in ward No.21, Block No.II, T.S.No.23 situated at Madakulam Village, Madurai Corporation on the basis of the petitioner's representation dated 19.04.2025 within stipulated time fixed by this Court.



W.P.(MD)No.12234 of 2025

WEB COPY

For Petitioner : Mr.P.Ranjithkumar

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

I have heard Mr.P.Ranjithkumar, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

2. The petitioner has given a representation on 19.04.2025 to direct the respondents 2 & 3 to conduct survey and fix four boundaries of the petitioner's property.

3. Mr.M.Lingadurai, learned Special Government Pleader would submit that the patta stands in the name of the petitioner's father and it is not known how the petitioner claims to be the absolute owner of the subject property. He would further submit that the petitioner may produce relevant documents to the second respondent, and subject to the satisfaction of the second respondent, regarding the entitlement of the petitioner to the property, the second respondent shall take steps to dispose of the petitioner's application.



W.P.(MD)No.12234 of 2025

WEB COPY

4. Recording the submission of the learned Special Government Pleader, the petitioner is directed to produce the legal heirship certificate to establish that the petitioner is the only legal heir of Pitchai Servai and he is entitled to the property. In the event of there being other legal heirs, the petitioner shall produce the no objection letters from the other legal heirs to enable the second respondent to proceed to conduct survey. Subject to the above, the respondents 2 & 3 shall dispose of the petitioner's application by conducting survey and fix the 4 boundaries and disposing of the petitioner's application dated 19.04.2025, within a period of twelve weeks from the date of receipt of the no objection letters. The survey shall be conducted after giving notice to adjacent land owners and an advance intimation shall also be given to the jurisdictional police officials to prevent any breach of peace at the time of survey and the jurisdiction police shall also ensure that necessary police personnel are posted at the site to assist the respondents 2 & 3. In the event of survey officials finding any third parties in physical possession, under the guise of survey, there shall be no disposition of any of the persons in the possession of the property.



W.P.(MD)No.12234 of 2025

WEB COPY

5. With the above directions, the writ petition is disposed of. No costs.

Index : Yes / No

NCC : Yes / No

am

28.04.2025

To

1. The District Collector
Madurai District, Madurai.
2. The Tahsildar
Madurai West Taluk, Madurai District.
3. The Head Surveyor
Land Survey Department,
Madurai West Taluk,
Madurai District.



WEB COPY



W.P.(MD)No.12234 of 2025

P.B. BALAJI, J.
am

Order made in
W.P.(MD)No.12234 of 2025

Dated:
28.04.2025