



W.P.(MD)No.18969 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.18969 of 2023

Subramanian

.... Petitioner

/Vs./

1. The District Collector
District Collector Office, Madurai.
2. The Tahsildar
Melur Taluk, Melur, Madurai.
3. The Land Surveyor
Survey Department, Melur Taluk Office,
Melur, Madurai District.

4. Pandiammal

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to conduct Survey on the E-Challan / Application dated 26.07.2023 in my patta land in Sy.No.192/1A (Old Sy.No.192/2) in Idaiyarkovilpatti village, Vellalur post, Melur taluk, Madurai District measuring an extent of 14 cents within the time stipulated by this Court.



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For Petitioner : Mr.P.M.Vishnu Varthanan
For R1 to R3 : Mrs.S.Jeyapriya
Government Advocate
For R4 : Mr.C.M.Arumugam

ORDER

The petitioner seeks for issuance of a Writ of Mandamus to direct the third respondent to conduct a survey based on his application dated 26.07.2023 in respect of his patta lands in S.No.192/1A (Old Sy.No. 192/1), Idaiyarkovilpatti Village, Vellalur Post, Melur Taluk, Madurai District to an extent of 14 cents.

2. The petitioner has made an online application for survey in respect of lands on 26.07.2023 to an extent of 14 cents of land to which, the petitioner claims right. It is seen that patta issued is a joint patta including the name of the petitioner. There is no mention about the fourth respondent. The fourth respondent owns separate extent of land, without proper boundaries. The fourth respondent appears to have objected to the said survey since he is separately owning extent of land in and around the subject survey number.

3. Considering the objections of the fourth respondent, apprehending of surveying of his property under the guise of survey of



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192/1A, it is made clear that the respondents shall proceed to conduct survey based on the petitioner's application dated 26.07.2023 in respect of only survey number 192/1A subject to the petitioner providing no objection letters or consent letter from the remaining 7 pattadhars as found in patta number 2604. Survey shall be conducted in the presence of the petitioner as well as the fourth respondent. After the petitioner and the fourth respondent are enquired into, the objections of the fourth respondent shall be considered before taking a decision regarding survey and in the event of the property sought to be surveyed being the entitlement of the petitioner, then, the fourth respondent shall extend his full cooperation for the survey. In the event of finding any dispute or confusion with regard to the identity of the property, then the petitioner shall be relegated to the Civil Court. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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Dated:
26.03.2025