

W.P.(MD).No.14548 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P(MD) No.14548 of 2023

Moorthy.V

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur, Madurai District.

3.The Tahsildar,
East Taluk Officer,
Madurai District.

4.The Taluk Surveyor,
East Taluk,
Madurai District.

5.The Village Administrative Officer,
Pudhupatti Village, East Taluk,
Madurai District.

6.Madan.S

7.Sekar.P

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.3 and 4 to scrap the illegal survey proceedings conducted in the S.No.120/24 and 120/26 in Puthupatti Village, Narasingampatti Panchayat, Madurai East taluk, Madurai District on 29.05.2023, Since no orders were passed on the enquiry proceedings initiated by Respondent No.3 in Na.Ka.No.3662/2022/S, dated 02.05.2023, by considering the petitioner's objection, dated 08.05.2023 and 26.05.2023 within time stipulated by this Court.

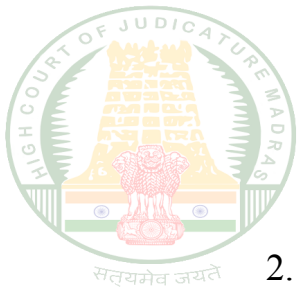
For Petitioner : Mr.K.Dinesh

For R1 to R5 : Mr.M.Gangatharan
Government Advocate

For R6 and R6 : Mr.K.Rajesh

ORDER

This Writ Petition is filed seeking a direction to the respondent Nos.3 and 4 to scrap the illegal survey proceedings conducted in survey No.120/24 and 120/26, Puthupatti Village, Narasingampatti Panchayat, Madurai East taluk, Madurai District, by considering the petitioner's objection, dated 08.05.2023 and 26.05.2023.

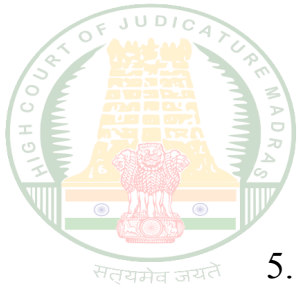


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2. Earlier, a Writ Petition was filed by the sixth respondent herein in W.P(MD) No.21991 of 2022, seeking survey of the subject property. The said Writ Petition was disposed of by directing the third respondent herein, who was arrayed as second respondent therein to conduct the survey of the subject property after affording reasonable opportunity to all the parties concerned. The petitioner herein was arrayed as the fourth respondent in the said Writ Petition.

3. Pursuant to the order passed in the above-said Writ Petition, the petitioner submitted his objections to the survey on 08.05.2023 and 26.03.2023 before the third respondent herein. The main grievance of the petitioner is that, without conducting any enquiry and without considering his objections, the third respondent has proceeded to conduct the survey of the subject property. Hence, the petitioner seeks a direction to respondents 3 and 4 to quash the illegal survey proceedings conducted in respect of the subject property.

4. Further, the learned counsel for the petitioner would submit that the said survey report of the respondent Nos.3 and 4 has not been furnished to the petitioner.



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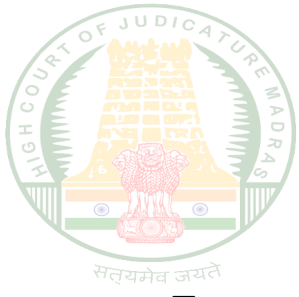
5. In view of the above, respondents 3 and 4 are directed to furnish a copy of the survey report to the petitioner within a period of three weeks from the date of receipt of a copy of this order. Upon receipt of the said survey report, if the petitioner is aggrieved, it is open to him to work out his remedy in the manner known to law. It is not open to the petitioner to file a Writ Petition seeking a direction to scrap the survey proceedings without challenging the survey report.

6. With the above direction, this Writ Petition is disposed of. No costs.

05.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

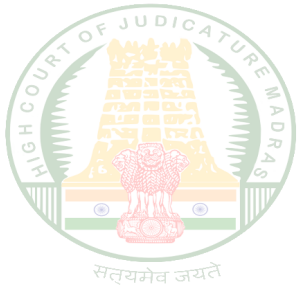
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S.SOUNTHAR, J.

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