



W.P(MD)No.13284 of 2012

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.13284 of 2012

and

M.P(MD)No.1 of 2012

M.A.Srirenga Raja

... Petitioner

Vs.

- 1.The District Collector,
Theni District,
Theni.
- 2.The Inspector of Survey,
Theni District,
Theni.
- 3.The Superintendent of Police,
Theni District,
Theni.
- 4.The Tahsildar,
Theni Taluk,
Taluk Office,
Theni.
- 5.The Town Sub Inspector of Survey,
Theni-Allinagaram Municipality,
Theni.



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6.The Inspector of Police,
Theni Town Police Station,
Theni.

7.N.A.Ajay Karthik Raja

8.N.R.Krishnamoorthy Raja

9.P.A.Kumarasamy Raja

10.R.Padma

... Respondents

(R7 to R10 are impleaded vide Court order,
dated 28.07.2022 in W.M.P(MD)No.10236 of
2022)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing these respondents to determine and record the disputed boundary with "F" line and fixing survey stones for 31-1/4 cents of lands already divided and demarcate as per the contemplated provisions section 10 and other relevant provisions of the Survey and Boundaries Act, as per the petitioner's application, paid along with necessary fees on 17.04.2012 with the help of police and, if needed by the 5th respondent and carry out the same in the revenue and municipal records within a time frame fixed by this Court.

For Petitioner : Mr.GS.Asok Adhithyan



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For R1 - R6 : Mr.A.Sivanu Pandian
Additional Government Pleader

For R7 - R9 : No Appearance

ORDER

The present writ petition has been filed seeking a writ of Mandamus, directing the respondents to conduct the survey and fix the boundary lines as per the fees paid by the petitioner on 17.04.2012.

2. Since the private respondents were objecting to the said survey, they were impleaded and notices were directed to be issued to the said private respondents. Respondents 7 to 9 have been served on 11.08.2022. The 10th respondent could not be served on the ground that she has already passed away. The counsel for the petitioner has filed a Memo to the effect that he is giving up the said respondent. Hence, all the contesting private respondents have been served one month back and their names are printed in the cause list. They have neither appeared in person nor engaged a counsel.



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3. In view of the above said fact, this Court passes the following order:

The fifth respondent is directed to conduct a survey as per the provisions of Survey and Boundaries Act. The said survey shall be conducted after issuing notice to the private parties. The survey shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

22.09.2022

Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.13284 of 2012

Dated:
22.09.2022