



W.P(MD)No.10881 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10881 of 2022

P.Mariappan

... Petitioner

Vs.

1.The Tahsildar,
Oddachanthiram Taluk Office,
Oddachanthiram,
Dindigul District.

2.The Taluk Surveyor,
Oddanchathiram Taluk,
Dindigul District.

3.N.Vasantha

... Respondents

*(R3 is impleaded vide order dated 24.06.2022 in
W.M.P.(MD)No.9119 of 2022 in
W.P.(MD)No.10881 of 022 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct respondents to conduct the survey and fix boundary stones in respect of the petitioner property comprise in Survey Nos.54/3, 55/4C, 55/5A and 55/5B1, 56/1A2, 56/1B2 and 56/2B situated at Ambilikai Village, Oddanchathiram Taluk, Dindigul District by considering the petitioner's representation dated 14.03.2022 within the time stipulated by this Court.



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For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.M.Prakash,
Addl. Government Pleader for R1 & R2.

ORDER

The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned lands and for demarcation of the boundaries. Since the authority had not acted upon the petitioner's request, this writ petition came to be filed.

2. The Writ Petition is disposed of with the following directions:-

(I) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(II) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(III) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the



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objector is unable to obtain any injunction order, the survey can very well go on.

(IV) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(V) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection. No costs.

18.08.2022

Index : Yes / No
Internet : Yes/ No
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To:-

1.The Tahsildar,
Oddachanthiram Taluk Office,
Oddachanthiram,
Dindigul District.

2.The Taluk Surveyor,
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G.R.SWAMINATHAN, J.

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