



W.P.(MD)Nos.12966 and 17615 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.12966 and 17615 of 2022

W.P.(MD)No.12966 of 2022

Mohanapriya

... Petitioner

Vs

1.The Tahsildar,
Athur Taluk,
Dindigul District.

2.The Field Surveyor,
Athur Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to survey and demarcate the Petitioner's property comprised in survey No.553/1A1B to an extent of 0.47.50, Survey No.553/2A1 to an extent of 0.3.00, vide Patta No. 1759 at Munnilaikottai Village, Athur Taluk, Dindigul District, by considering the petitioner's application, dated 27.01.2022.

For Petitioner : Mr.A.Chandra Kumar

For Respondents : Mr.G.Sivaraja
Government Advocate

W.P.(MD)No.17615 of 2022:-

Mery

... Petitioner



W.P.(MD)Nos.12966 and 17615 of 2022

Vs.

1.The District Collector,
Vellunachiyarvalagam,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Vellunachiyarvalagam,
Dindigul District,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to dispose the petitioner's representation dated 18.07.2022.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.M.Sarangan,
Addl. Government Pleader.

COMMON ORDER

The order dated 04.07.2022 made in W.P.(MD)No.12966 of 2022 is recalled.

2.The prayer in W.P.(MD)No.12966 of 2022 is for conducting survey for the petition mentioned land. The petitioner in W.P.(MD)No.17615 of 2022



W.P(MD)Nos.12966 and 17615 of 2022

opposes the said prayer.

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3.The Tahsildar, Athur Taluk is directed to issue notice to both the parties. If the Tahsildar finds substance in the objection raised by Mery, W/o.Kulanthairaj, then Mohanapriya will be relegated to move the jurisdictional civil Court. If the Tahsildar does not find merit in the objection, then order will be passed overruling her objection and order copy will be served on Mery. Survey will be conducted only after a period of six weeks. So that in the meanwhile, Mery will be able to move the jurisdictional Court or forum for getting restraint order. If no restraint order is obtained in the intervening period, survey will be conducted. It is open to the survey authority to seek the aid the local police also. The Thasildar will also issue notice to other interested persons, if any.

4.With this direction, these writ petitions are disposed of. No costs.

12.08.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias



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To:-

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- 1.The District Collector,
Vellunachiyarvalagam,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Vellunachiyarvalagam,
Dindigul District,
Dindigul.
- 3.The Tahsildar,
Athur Taluk,
Dindigul District.
- 4.The Field Surveyor,
Athur Taluk,
Dindigul District.

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