



W.P.(MD)No.13114 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13114 of 2022

C.Rajamanickam

... Petitioner

Vs

1.The Tahsildar,
Srirengam Taluk,
Trichy District.

2.The Head Surveyor,
Srirengam Taluk,
Trichy 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 1 and 2 herein to survey the property of the petitioner in S.No.106/4 to the extent of 44 cents in Pothavoor Village in Srirengam Taluk, Trichy District under the registered sale deed, dated 25.07.2019 in Document No.4811/2019 on the file of the Sub Registrar, Uraiyur, Trichy with reference to the patta and the Field Map and demarcate the four boundaries by planting survey stones.

For Petitioner : Mrs.S.Mahalakshmi

For Respondents : Mr.G.Sivaraja
Government Advocate



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ORDER

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The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned land 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 objector is unable to obtain any injunction order, the survey can very well go on.



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(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.

05.08.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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