



W.P.(MD)No.13281 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13281 of 2022

G.Muruganantham

... Petitioner

Vs

1.The District Collector,
Collectorate,
Madurai.

2.The Tahsildar,
Office of the Tahsildar,
Thiruparankundram Taluk,
Madurai District.

3.The Head Surveyor,
Thiruparankundram Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the third respondent herein to survey the petitioner's properties in town Survey No.31/2 with an extent of 2694 square feet and in town Survey No.44/1B with an extent of 1875 Square feet totally 4569 square feet situated at Madakulam Village, Madurai and to fix the four boundaries of the same based on the petitioner's representation, dated 21.04.2022 within the stipulated time fixed by this Court.



For Petitioner : Mr.K.Anbumanikandan Tamilsooriyan
For Respondents : Mr.M.Prakash
Additional Government Pleader

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.

05.08.2022

Index : Yes / No

Internet : Yes/ No

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