



W.P.(MD)No.13595 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.13595 of 2022

A.Muthaiah

... Petitioner

Vs

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Tahsildar,
Thanjavur Taluk,
Thanjavur 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 measure the petitioner's lands in S.F.No.169 measuring about 2½ cents situated in Rajendhiram Village, Thiruvaiyaru Taluk and Thanjavur District, S.F.No. 169/2 measuring about 1090 sq.ft., situate in Rajendram Village, Thiruvaiyaru Taluk, Thanjavur District and in S.F.No.169/2 measuring about 3½ cents situated Rajendram Village, Thiruvaiyaru Taluk, Thanjavur District by Considering the petitioner's representations, dated 25.01.2021 and 17.06.2022.



For Petitioner : Mr.R.Manoharan
For Respondents : Mr.G.Sivaraja
Government Advocate

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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G.R.SWAMINATHAN, J.

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