



W.P.(MD)No.13640 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13640 of 2022

M.Murugan

... Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Assistant Director of Survey and Settlement,
Office of the District Survey Office,
Collectorate,
Thoothukudi District.

3.The Revenue Divisional Officer,
Thoothukudi,
Thoothukudi District.

4.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.

5.The Deputy Inspector of Survey,
Srivaikundam Taluk,
Thoothukudi District.

6.The Taluk Firka Surveyor,
Srivaikundam Taluk,
Srivaikundam
Thoothukudi District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 4 to 6 to carry out the Survey of the petitioner's property of 0.06.80 Hectares (16.8 cents) lands in Survey.No. 272/63 of Muthalankurichi Village, Srivaikundam Taluk, Thoothukudi District.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The petitioner wants survey to be conducted in respect of the petition mentioned land.

3. When the matter was taken up for hearing, the learned Government Advocate submitted that there is stiff opposition from one Kanthan / adjacent land owner. According to the learned Government Advocate this is a classic title dispute and therefore, the jurisdictional civil Court can only resolve the issue. When there is a serious civil dispute between the parties, this Court will not be justified in directing the survey authorities to conduct survey. Leaving



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open the petitioner's rights and granting him liberty to move the jurisdictional civil Court if so advised, this writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. No costs.

11.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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Srivaikundam
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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