



W.P(MD)No.13601 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13601 of 2022

R.Muthupatchai Kumar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Uthamapalayam,
Theni District.

2.The Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam,
Theni District.

3.The Taluk Surveyor,
Tahsildar Office,
Uthamapalayam,
Theni District.

... 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 respondents herein to survey and fix boundaries to the house plot located at Theni District, Devaram Town, 13th Ward 1st Street, Nadar South Street, Old door No. 26,27, New 10th Ward 1st Street, New door No.1/26, 2/27, Natham S.No.921 for total extent of 606 1/4 Sq.ft of property belongs to the petitioner by considering the petitioner's representation dated 25.01.2022



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For Petitioner : Mr.A.Manikandan
For R1 to R3 : Mr.K.Balasubramani
Special 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.

18.08.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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