



W.P(MD)No.13723 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13723 of 2022

Salai Sarammal

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Ilupoor Taluk,
Pudukkottai District.

3.Ganesan

4.Salai Pavalam

... Respondents

*(R3 and R4 are impleaded vide order dated
11.08.2022 in W.M.P.(MD)No.11422 of 2022 in
W.P.(MD)No.13723 of 2022 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Tahsildar, Iluppaiyoor Taluk, the 2nd respondent to take proper and necessary action on the representation of the petitioner dated 19.03.2022 (mentioned as 21.03.2022) in the proceedings in O.Mu.8253/2022/D5 dated 21.04.2022 in the District Collector, Pudukkottai District, the 1st respondent herein, thereby passing suitable orders for survey and demarcate the lands of the petitioner to an extent



W.P(MD)No.13723 of 2022

of about 600 Sq Ft comprised in Survey No.487/13C1 Vilathupatti village, Iluppaiyoor Taluk, Pudukkottai District, within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan

For Respondents : Mr.M.Sarangan,
Addl. Government Pleader for R1 & R2.

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



W.P(MD)No.13723 of 2022

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.

(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.

11.08.2022

Index : Yes / No
Internet : Yes/ No
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To:-

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Ilupoor Taluk,
Pudukkottai District.



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W.P(MD)No.13723 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.13723 of 2022

11.08.2022
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