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W.P.(MD)NO.13887 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13887 of 2022

M.Ariyappan

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Paramakudi, Ramanathapuram District.

2 The Tahsildar,
Office of the Tahsildar, Kamuthi,
Ramanathapuram District.

3 The Firka Surveyor,
K. Vepankulam, Kotaimedu, Kamuthi,
Ramanathapuram District.

4. P.Veeramakali @ Seenivasagam
(R-4 is impleaded vide order dated 18.08.2022
in W.M.P.(MD)No.12177 of 2022)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey the land of the petitioner in survey No.155/8C2 and to fix the boundaries of the land in Vepakulam Village, Kamuthi, Ramanathapuram District, based on the representation of the petitioner, dated 12.05.2022.



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For Petitioner : Mr.S.Ramsundarvijayraj

For R-1 to R-3 : Mr.M.Prakash,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. Considering the nature of relief to be granted, issuance of notice to the fourth respondent is dispensed with.

3. 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.

4. The Writ Petition is disposed of with the following directions:-



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(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 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

WEB COPY protection.

No costs.

18.08.2022

Index : Yes / No

Internet : Yes/ No

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To:

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- 3 The Firka Surveyor,
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G.R.SWAMINATHAN,J.

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