



W.P(MD)No.14264 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14264 of 2022

Visenthi Arulprakasam @ Visenthi

... Petitioner

Vs.

1.The Tahsildar,
Vilathikulam Taluk,
Vilathikulam,
Thoothukudi District.

2.The Head Surveyor,
Vilathikulam Taluk,
Vilathikulam, Thoothukudi District.

3.The Firka Surveyor,
Vempar Village, Vilathikulam Taluk,
Vilathikulam,
Thoothukudi 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 first respondent to consider the representation of the petitioner dated 01.11.2021 seeking survey and demarcation of the petitioner's land to the extent of 62 cents found with the southern portion of Survey No.150/2C, situated at Vempar Village, Vilathikulam Taluk, Thoothukudi District by the second respondent with the aide of the third respondent within stipulated time.



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For Petitioner : Mr.K.Anna

For Respondents : Mr.N.Ramesh Arumugam
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.

08.08.2022

Index : Yes / No
Internet : Yes/ No
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To

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- 2.The Head Surveyor,
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- 3.The Firka Surveyor,
Vemparr Village, Vilathikulam Taluk,
Vilathikulam,
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G.R.SWAMINATHAN, J.

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