



W.P.(MD)No.14438 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14438 of 2022

K.Chellappan

... Petitioner

Vs

1.The Tahsildar,
Oddanchathiram Taluk Office,
Oddanchathiram Taluk,
Dindigul District.

2.The Taluk Surveyor,
Oddanchathiram Taluk,
Dindigul District.

3.The Inspector of Police,
Chathirapatti police station,
Oddanchathiram Taluk,
Dindigul District.

4.P.Kaliappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to conduct the survey and fix boundary stones in respect of the petitioner's property comprised in Survey Nos.149/3C of an extent of 0.6.50 Hectares and S.No.150/2 of an extent of 0.3.50 Hecares situated at Chathirapatti village, Oddanchathiram, Dindigul District and to direct the third respondent to provide



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adequate police protection during the survey by considering the petitioner's representation dated 19.03.2022 and 21.06.2022 and within the time stipulated by this Court.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R.1 to R.3

Mr.V.Nagendran for R.4

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



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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.

18.08.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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To

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