



W.P.(MD)No.14635 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14635 of 2022

N.Jeyachandran

... Petitioner

Vs

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Tahsildar,
Vilathiklam Taluk,
Tuticorin District.

3.The Surveyor,
Taluk Office,
Vilathikulam Taluk,
Tuticorin District.

4.Jebamalai

5.Peter

6.Antonyraj

(R4 to R6 impleaded vide Court
order dated 18.08.2022)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to survey the petitioner's principal lands and fix boundary tones in respect of survey No.



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251/1, Patta No.168 to an extent of 0.91.0 hectares situated at Vembar Village, Vilathikulam Taluk, Tuticorin District, based on the petitioner's representation dated on 13.06.2022 within a time frame to be stipulated by the Court.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R.1 to R.3

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



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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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To

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Tuticorin District,
Tuticorin.

2.The Tahsildar,
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3.The Surveyor,
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