



W.P.(MD)No.14490 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14490 of 2022

K.Periyakaruppan

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Thirumangalam Sub Division,
Madurai District.
- 2.The Tahsildar,
Thirumangalam Taluk,
Thirumangalam, Madurai District.
- 3.The Head Surveyor,
Thirumangalam Tahsildar Office,
Thirumangalam, Madurai District.
- 4.The Surveyor,
Thirumangam Taluk Office,
Thirumangalam, Madurai District.
- 5.The Village Administrative Officer,
Maravankulam village,
Thirumangalam Tahsildar Officer,
Thirumangalam, Madurai District.
- 6.The Deputy Superintendent of Police,
Thirumangalam Circle,
Madurai District.



W.P(MD)No.14490 of 2022

7.The Inspector of Police,
Thirumangalam Town Police Station,
Thirumangalam,
Madurai District.

8.K.Krishnan

9.K.Mayakrishnan

10.K.Munichamy ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2 to 4 respondents to survey the petitioner's lands in (1)Survey No.164/6 extent of 61 cents, (2) S.No. 164/3A1 extent of 17 cents, situated at Mangulam Village, Thirumangalam Taluk, Madurai District based on the petitioner's fee paid challan dated 18.06.2022 and representation dated 29.06.2022.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate for R.1 to R.7

Mr.D.Venkatesh for R.8 to R.10

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.



W.P(MD)No.14490 of 2022

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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 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.



W.P(MD)No.14490 of 2022

(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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W.P.(MD)No.14490 of 2022

G.R.SWAMINATHAN, J.

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W.P.(MD)No.14490 of 2022

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