



W.P(MD)No.14674 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.14674 of 2022

P.Chandrakumar

... Petitioner

Vs.

1.The Tahsildar,
Madurai South Taluk,
Collector Office Campus,
Madurai-625 020.

2.The Taluk Sub-Inspector of Surveyor,
Madurai South Taluk,
Collector Office Campus,
Madurai-625 020.

3.The Inspector of Police,
Silaiman Police Station,
Silaiman, Madurai District.

4.Rengaraj

5.Sattanathan

... 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 1st and 2nd respondents to survey the petitioners land admeasuring an extent of 0.05.22 Ares i.e., 13 cents in old survey No.57/9 new survey No.222/15 is situated at



W.P(MD)No.14674 of 2022

Viraganoor Village, Madurai South Taluk, Madurai south registration District, Madurai District with the police protection of the 3rd respondent herein and demarcate the same by laying stones by considering the petitioners petition dated 26.05.2022.

For Petitioner : Mr.A.Jeyaram

For R1 to R3 : Mr.K.Balasubramani
Special Government Pleader

For R4 & R5 : no appearance

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



W.P(MD)No.14674 of 2022

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 protection.

No costs.

18.08.2022

Index : Yes / No
Internet : Yes/ No
rmi

To

1.The Tahsildar,
Madurai South Taluk,
Collector Office Campus,
Madurai-625 020.



WEB COPY



W.P(MD)No.14674 of 2022

G.R.SWAMINATHAN, J.

rmi

2.The Taluk Sub-Inspector of Surveyor,
Madurai South Taluk,
Collector Office Campus,
Madurai-625 020.

3.The Inspector of Police,
Silaiman Police Station,
Silaiman, Madurai District.

W.P(MD)No.14674 of 2022

18.08.2022