



W.P.(MD) No.14732 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2022

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.14732 of 2022

Ayyar Devar

.. Petitioner

Vs

1.The Tahsildar,
Tahsildar Office,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.

2.The Head Surveyor,
Tahsildar Office,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.

3.Duraipandi

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 1st and 2nd respondents to survey the land situated in Survey No.96/5, Patta No. 3247, Sathangudi Village II-bit, Thirumangalam Taluk, Madurai District to the extent of 0.48.50 acres (1 acre 20 cents) based on the petitioner's



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representation dated 12.05.2022 within a time frame stipulated by this Court.

For Petitioner : Mr.S.A.Ajmalkhan
For Respondents : Mr.K.Balasubramani
Special Govt. Pleader for R1 & R2
: Mr.B.Loganathan

ORDER

The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned land 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.



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(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.

(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

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G.R.SWAMINATHAN, J.

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To

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