



W.P.(MD) No.14935 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.14935 of 2022
and
W.M.P.(MD) No.10690 of 2022

1.Ravikumar

2.Loganathan

.. Petitioners

Vs

1.The Tahsildar,
Singampunari Taluk Office,
Singampunari,
Sivagangai District.

2.The Taluk Surveyor,
Singampunari Taluk Office,
Singampunari,
Sivagangai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to conduct survey the property in Patta No.2158 and 1160 with respect of Survey Nos.152/12, 5, 6, 7, 8B, 151/10 and 151/3 for a total extent of 1.24.00 Hectares and which is situated at Valasaipatti Group,



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Singampunari Taluk, Sivagangai District on the basis of the petitioners' applications dated 22.09.2021 and 24.09.2021.

For Petitioners : Mr.T.Vadivelan

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

The petitioners have 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 petitioners' 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 petitioners 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. Consequently, connected miscellaneous petition is closed.

18.08.2022

Index : Yes/No

Internet : Yes

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G.R.SWAMINATHAN, J.

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To

- 1.The Tahsildar,
Singampunari Taluk Office,
Singampunari,
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