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W.P.(MD)NO.14976 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.14976 of 2022

N.Sivathavilli

... Petitioner

Vs.

1. The Tahsildar,
Kamuthi Taluk Office,
Ramanathapuram District.

2. The Firka Surveyor,
Peraiyur Group,
Kamuthi East, Kamuthi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct survey and fix the boundaries of the petitioner's patta land in Survey No. 593/1 in an extent of 3 cents at Peraiyur Village, Kamuthi Taluk, Ramanathapuram District based on the application made by the petitioner dated 23.05.2022 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents: Mr.M.Prakash,
Additional Government Pleader.

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**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 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

PMU

To:

1. The Tahsildar,
Kamuthi Taluk Office, Ramanathapuram District.
2. The Firka Surveyor,
Peraiyur Group,
Kamuthi East, Kamuthi Taluk,
Ramanathapuram District.



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G.R.SWAMINATHAN,J.

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