



W.P.(MD) No.15993 of 2022

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.08.2022**

**CORAM:**

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

W.P.(MD) No.15993 of 2022

N.Muniyammal

.. Petitioner

Vs

1. The Tahsildar,  
Tirumangalam Taluk,  
Tirumangalam,  
Madurai District.

2. The Frika Surveyor,  
Tirumangalam Taluk,  
Tirumangalam,  
Madurai District.

3. The Sub-Inspector of Surveyor  
(Survey Department),  
Tirumangalam Taluk,  
Tirumangalam, Madurai District.

4. Seenivasan

5. Rajesh Kumar

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India  
praying for issuance of Writ of Mandamus directing the respondents 1 to



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3 herein to survey and demark petitioners land to an extent of 1980 Sq.ft in new Survey number 31/12 in T.Puthupatti Village, Tirumangalam Taluk, Madurai District and issue a separate patta in the name of petitioner.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mr.M.Prakash  
Additional Government Pleader  
for R1 to R3

: Mr.R.Devaraj for R4 & R5

### **ORDER**

The petitioner, through her counsel, made it clear that the issuance of patta will be agitated elsewhere. The scope of this writ petition is confined to survey and demarcation. Liberty is granted to the petitioner.

2. This 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.

(vi) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can never result in dispossession of any party. No person shall put up fencing at the time of survey by using police aid.



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(vii) A copy of the survey report will be served on the parties  
also.

No costs.

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Index : Yes/No

Internet : Yes

abr

To

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