



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16378 of 2022

Rajendran

... Petitioner

Vs.

1. The Assistant Director of Survey and Land Records,
Thanjavur Taluk, Thanjavur District.
2. The Head Surveyor,
Inathukkanppatti Revenue Village,
Thanjavur Taluk, Thanjavur District.
3. The Revenue Divisional Officer,
Thanjavur Taluk, Thanjavur District.
4. The Tahsildar
Inathukkanppatti Revenue Village,
Thanjavur Taluk, Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 13.01.2022 given to measure the petitioner's land bearing survey number 166/2 and new survey Number 166/3E5 admeasuring 10 cents situated at Inathukkanppatti Revenue Village, Thanjavur Taluk, Thanjavur District and identify the four boundaries in the said property and provide correct FMB, chitta and adangal within the time as stipulated by this Court.



For Petitioner : Mr.M.Vivek

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

* * *

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.



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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/ No

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4

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G.R.SWAMINATHAN,J.

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