



W.P(MD)No.16389 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16389 of 2022

Palaniselvi

... Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Peraiyur,
Madurai District.

2.The Head Surveyor,
Peraiyur Tahsildar Office,
Peraiyur,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent to measure the land in Survey No. 86/6A5 (patta No.5178) and Survey No. 86/6A1B (patta No. 5319) situated at Seyon Nagar, Gandhi Nikethan Street, T.Kallupatti Town, Peraiyur District based on the revenue records with the petitioners application dated 15.03.2022 and 22.07.2022 and submit the report to the 1st Respondent within a stipulated time fixed by this Court.



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W.P(MD)No.16389 of 2022

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.G.Sivaraja,
Government Advocate.

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



W.P(MD)No.16389 of 2022

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.

26.08.2022

Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Tahsildar,
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W.P(MD)No.16389 of 2022

G.R.SWAMINATHAN, J.

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