



W.P(MD)No.16746 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.16746 of 2022

Kaleeswari

... Petitioner

Vs.

1.The District Collector,
Sulakarai Collectorate Campus,
Virudhunagar Collectorate Campus,
Virudhunagar District.

2.The Assistant Director,
Department of Survey,
Virudhunagar Collectorate Campus,
Virudhunagar District.

3.The Thasildhar,
Srivilliputhur Taluk,
Virudhunagar District.

4.The Head Surveyor,
Department of Survey,
Srivilliputhur Taluk Office Campus,
Srivilliputhur,
Virudhunagar 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 3rd and 4th respondents to survey the petitioner's land situated in the S.Nos.1258/3B2B, 1258/4B2.



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For Petitioner : Mr.SM.Ramasiva

For Respondent : Mr.M.Sarangan,
Addl. 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.

(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



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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.

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Index : Yes / No

Internet : Yes/ No

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Department of Survey,
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Virudhunagar District.
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G.R.SWAMINATHAN, J.

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