



W.P(MD)No.16617 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.16617 of 2022

Kandhasamy

... Petitioner

Vs.

- 1.The Tahsildar,
Office of the Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.
- 2.The Land Surveyor/Head Surveyor,
Office of the Head Surveyor,
Perunkulam,
Ramanathapuram District.
- 3.The Village Administrative Officer,
Office of the Village Administrative Officer,
Rettaiyurani Village,
Ramanathapuram 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 Respondents to survey the petitioner's land comprised in S.No.239/3A and 239/3A1, Rettaiyurani Village, Ramanathapuram District with the help of competent surveyor in field measurements and village map with sufficient police protection, consequently direct the Respondents No.1 and 2 to mark the land laying corner stones and to file a report of survey by disposing the petitioner's



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application dated 20.09.2021 within a fixed time frame as stipulated by this Court.

For Petitioner : Mr.S.Rameshkumar

For Respondent : Mr.K.Balasubramani,
Spl. 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



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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.

26.08.2022

Index : Yes / No

Internet : Yes/ No

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To:

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Ramanathapuram Taluk,
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G.R.SWAMINATHAN, J.

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