



W.P(MD)No.16702 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.16702 of 2022

S.Deepan

... Petitioner

Vs.

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

2.The Firka Surveyor,
Sivarakottai Firka,
Sivarakottai,
Kallikudi Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, Mandamus directing the respondents to survey and fix boundaries of the petitioner land to an extent of 85 cents situated in Survey No. 18/2B, Thumbakulam Village, Kallikudi Taluk, Madurai District as per the sale deed doc.No. 1467/2019 dated 01.03.2019 on the file of the Sub-Registrar, Thirumangalam as well as patta issued by the respondent in patta No. 2217 based on the petitioner representation and fee remittance receipt dated 17.02.2022 to the respondent within the time limit that may be stipulated by this Court.



W.P(MD)No.16702 of 2022

For Petitioner : Mr.S.P.Naveenkumar

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 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.16702 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:

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Kallikudi Taluk,
Kallikudi,
Madurai District.

2.The Firka Surveyor,
Sivarakottai Firka,
Sivarakottai,
Kallikudi Taluk,
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W.P(MD)No.16702 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.16702 of 2022

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