



W.P(MD)No.17493 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17493 of 2022

Mahalingam

... Petitioner

Vs.

1.The Tahsildar,
Thiruparamkundaram Taluk Office,
Madurai District.

2.The Taluk Head Surveyor,
Thiruparamkundaram Taluk Office,
Thiruparamkundaram,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to conduct survey and fix the boundary stones in respect of my property comprised patta No 291 in S.No.20/4A of an extent of 0.35.50 Hectares totally 88 cents situated at Soorakulam village, Thiruparamkundram Taluk, Madurai South, Madurai District in district by considering petitioner's representation dated 24.05.2022.



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For Petitioner : M/s.C.R.Ponnuthai

For Respondents : Mr.M.Prakash,
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.

04.08.2022

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

- 1.The Tahsildar,
Thiruparamkundaram Taluk Office,
Madurai District.
- 2.The Taluk Head Surveyor,
Thiruparamkundaram Taluk Office,
Thiruparamkundaram,
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G.R.SWAMINATHAN, J.

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