



W.P(MD)No.17674 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17674 of 2022

A.Rukmani

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Collectorate Campus,
Tirunelveli.

2.The Tahsildhar,
Radhapuram Taluk,
Tirunelveli District.

3.The Taluk Surveyor,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

4.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

5.Lakshmi

... 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 demarcate and fix four boundaries of the petitioner land which situated in Tirunelveli District, Radhapuram Taluk, Panakudi Village, Natham Survey



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No.1406/2 New Natham Survey No.2016/2 to an extent of 3.5 cents as per the schedule in settlement deed, dated 22.09.1984, registered as document No.1286 of 1984, registered before the Sub Registration Office, Panakudi and to considering the petitione's representation dated 23.05.2022.

For Petitioner : Mr.R.M.Suresh

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader R1 to R4.

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



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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 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.

08.08.2022

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

1.The District Collector,
Tirunelveli District,
Collectorate Campus,
Tirunelveli.

2.The Tahsildhar,
Radhapuram Taluk,
Tirunelveli District.



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3.The Taluk Surveyor,
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