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W.P.(MD)NO.18264 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18264 of 2022

K.Kala

... Petitioner

Vs.

1. The District Collector,
Tiruchirappalli District.

2. The Tahsildar,
Lalgudi Taluk,
Tiruchirappalli District.

4. A.Panaiyadiyan

5. Muruganandam

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 2 and 3 herein to measure the land and to grant separate patta in favour of the petitioner after determining four boundaries for the land within the time limit fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R-1 to R-3 : Mr.K.Balasubramani,
Special Government Pleader.

* * *



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ORDER

Heard the learned counsel on either side.

2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. 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.

4. The learned counsel appearing for the writ petitioner gives up his prayer as regards issuance of patta. Liberty is given to the petitioner to file an independent petition.

5. The Writ Petition is disposed of with the following directions:-



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(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 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

WEB COPY protection.

No costs.

12.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

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Tiruchirappalli District.
2. The Tahsildar,
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Tiruchirappalli District.



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G.R.SWAMINATHAN,J.

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