



W.P(MD)No.18707 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18707 of 2022

1.S.Ramachandran

2.K.Rethinam

... Petitioners

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Madurai District,
Madurai.

3.The Tahsildar,
Madurai North Taluk,
Madurai.

4.The Prika Surveyor,
Samayanallur Circle,
Madurai District.

5.The Superintendent of Police,
K.Pudur,
Madurai – 625 007.

6.The Inspector of Police,
Samayanallur Police Station,
Madurai.

... Respondents



W.P(MD)No.18707 of 2022

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent 3 to 4 to survey the land and fixed the boundaries based on petitioner's representation dated 02.08.2022 in Survey Nos.98/13, 96/1B, 97/8, 96/12, 92/4, 100/2B, 128/2, 99/3A, 95/11, 103/1, 100/7, 131/1, 99/1A, 127/2, 131/2, 99/4A, 127/4, 98/10, 95/8, 95/12, 95/9, 95/10, 98/11, 96/13, 97/9A, 127/1, 96/1A, 95/7, 97/9B, 96/1A, 95/5, 95/6, 128/1, 100/2A, 91/4, 95/4A, 89/7, 95/2B, 2A, 95/3A, 96/2, 96/8A, 96/8C1, 101/2, 100/6, 91/1, 125, 96/3, 96/4, 96/5, 96/6, 98/1, 98/2, 98/3, 98/4, 98/5, 98/6, 98/7, 98/8, 98/9, 98/12, 98/14, 98/15, 97/1A, 97/2A, 97/3A, 97/4, 97/5, 97/6A, 127/5, 127/6A, 127/7, 127/8A, 127/8B situated at Thenur Village Bit-I, Sholavandan Sub-District, Madurai District.

For Petitioners : Mr.K.Govindarajan,
For Mr.T.Palanisamy.

For Respondents : Mr.M.Prakash,
Addl. Government Pleader.

ORDER

The petitioners have 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 petitioners' 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 petitioners



W.P(MD)No.18707 of 2022

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 protection. No costs.

17.08.2022

Index : Yes / No
Internet : Yes/ No
ias



W.P(MD)No.18707 of 2022

WEB COPY

To:-

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Madurai District,
Madurai.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai.
- 4.The Firka Surveyor,
Samayanallur Circle,
Madurai District.
- 5.The Superintendent of Police,
K.Pudur,
Madurai – 625 007.
- 6.The Inspector of Police,
Samayanallur Police Station,
Madurai.



WEB COPY



W.P(MD)No.18707 of 2022



WEB COPY



W.P(MD)No.18707 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.18707 of 2022

17.08.2022
(2/2)