



W.P(MD)No.18922 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18922 of 2022

Maheswari

... Petitioner

Vs.

**1.The Tahsildhar,
Madurai South Taluk,
Madurai District.**

2.Murugan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 24.06.2022 within a time frame that may be stipulated by this Court and directing the 1st respondent to survey the land, on the basis of the petitioner's registered sale deed dated 04.12.2018 in Document No.8894 / 2018 on the file of the No.1, Joint Sub-Registrar office, Madurai South, Madurai District.

For Petitioner : Mr.R.Udhayakumar

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



W.P(MD)No.18922 of 2022

ORDER

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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 objector is unable to obtain any injunction order, the survey can very well go on.



W.P(MD)No.18922 of 2022

(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.

22.08.2022

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

The Tahsildhar,
Madurai South Taluk,
Madurai District.



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W.P(MD)No.18922 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.18922 of 2022

22.08.2022