



W.P(MD)No.19601 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.19601 of 2022

R.Gandhi

... Petitioner

**Vs.**

1.The Superintendent of Police,  
Theni District,  
Theni.

2.The Assistant Director of Survey,  
Survey and Settlement Office,  
Collectorate Complex,  
Theni.

3.The Tahsildar,  
Taluk Office,  
Theni Taluk & District.

4.R.Kannan

... 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 3rd and 4th respondents to survey and demarcate the property under the direct supervision of the 2nd respondent, comprised in Survey No.415/3, in Patta No.2008, standing in the petitioner's name, his brothers R. Seenivasan and R. Kannan along with J.S. Ramakrishnan S/o. Suriliyandi Naickar, to an extent of 0.4.00 Hectare equivalent to 10 Cents, situated at Koduvilarpatti Village and Post,



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Theni Taluk and District, by considering his representation dated 16.08.2022, within the time frame.

For Petitioner : Mr.R.Murugan  
For R1 to R3 : Mr.K.Balasubramani  
Special 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



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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.

**25.08.2022**

Index : Yes / No  
Internet : Yes/ No  
rmi  
To

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**G.R.SWAMINATHAN, J.**

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