



W.P.(MD) No.23476 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.23476 of 2018

and

W.M.P.(MD)No.21293 of 2018

1.M.Kanthasamy

2.Alangaram

... Petitioners

-Vs-

1.The District Collector,
Virudhunagar District.

2.The District Revenue Officer,
Virudhunagar District.

3.The Revenue Divisional Officer,
Aruppukkottai, Virudhunagar District.

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4.The Tahsildar,

Kariyapatti Taluk, Virudhunagar District.

5.The Head Surveyor,

Kariyapatti Taluk, Virudhunagar District.

6.S.Alagu Murugan

7.R.Muthumayil

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 4 and 5 from surveying the plots of the respondents 6 and 7 alone in Survey No.123/17 and Survey No.123/16, Ariyanenthal Village, Kariyapatti Taluk, Virudhunagar District without due notice to the petitioners and the other adjacent owners of the properties in Survey No.123/1A1 to Survey No.123/1A8 and further direct the respondents 1 to 5 to survey the lands in Survey No.123/6A to Survey No.123/39 and the lands in Survey No.123/1A1 to Survey No.123/1A8 and to determine the extent of alleged encroachment as per the Tamil Nadu Survey and Boundaries Act, 1923.

For Petitioners : Mr.T.R.Jeyapalam

For R1 to R5 : Mr.V.Nirmal Kumar
Government Advocate

For R6 & R7 : No appearance



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for a Mandamus, forbearing the respondents 4 and 5 from surveying the plots of the respondents 6 and 7 alone in Survey No.123/17 and Survey No.123/16, Ariyanenthal Village, Kariyapatti Taluk, Virudhunagar District, without due notice to the petitioners and other adjacent owners of the properties from Survey No.123/1A1 to Survey No.123/1A8 and direct the respondents 1 to 5 to survey the lands from Survey No.123/6A to Survey No.123/39 and from Survey No.123/1A1 to Survey No. 123/1A8 and to determine the extent of encroachment as per the Tamil Nadu Survey and Boundaries Act, 1923.

2.Today, when the matter was taken up for hearing, the learned counsel for the petitioner, after arguing the matter for sometime, sought liberty to the petitioner to make a fresh representation to the authorities concerned, for surveying their properties.



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3. Granting such liberty to the petitioner, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

Myr

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AND

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Myr

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