



W.P.(MD) No.23069 of 2017.

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

CORAM

THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.23069 of 2017
and
W.M.P.(MD) No.19378 of 2017

M.Rajammal

... Petitioner

/vs./

1.The District Surveyor,
District Survey and Settlement Department,
Collectorate Campus, Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

3.The Head Surveyor,
O/o. Kariapatti Taluk Office,
Virudhunagar District.

4.M.Muniyandi

5.The Superintendent of Police,
Virudhunagar District.

*(R5 has been suo motu impleaded
by this Court vide order dated 23.12.2022)*

... Respondents



W.P.(MD) No.23069 of 2017.

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to conduct common survey over Natham S.No:123, Ariyanendal Village, Kariapatti Taluk including Adi-Dravidar Colony, Ariyanenndal and lay common stone pillars in between the S.No.123/1 & 1A and S.No.123/16, 17 and 18, Ariyanendal Village, Kariapatti Taluk, Virudhunagar District after measuring entire extent of Ariyanendal Adi-Dravidar Colony, Ariyanendal village by taking measurement from the common boundary of Panickanendal and Ariyanendal Villages, which available on east west main road in S.No.123/3, in a fair and proper manner adumbrating survey procedures under the statute and in accordance with law, within the time frame.

For Petitioner : Mr.S.Balamurugan

For R1 to R3
& R5 : Mr.V.OM.Prakash
Government Advocate

ORDER

The prayer in the writ petition is for seeking Writ of Mandamus to direct the respondents 1 to 3 to conduct common survey over the Natham land in S.No. 123, Ariyanendal Village, Kariapatti Taluk, Virudhunagar District.



W.P.(MD) No.23069 of 2017.

WEB COPY

2.The learned Government Advocate for the respondents 1 to 3 had produced a letter addressed to him by the Revenue Tahsildar, Kariapatti, dated 22.12.2022. In the said letter, the Revenue Tahsildar, Kariapatti, had stated that when an attempt was made to survey the lands, there was a law and order problem. Hence, she had stated that if police protection is accorded, she would be able to conduct the survey as prayed for by the petitioner.

3.The said letter is taken on record.

4.In the aforesaid circumstances, the Superintendent of Police, Virudhunagar District is *suo motu* impleaded by this Court as fifth respondent in this writ petition.

5.The learned counsel for the petitioner undertakes to bear the expenses towards such police protection apart from paying the survey charges.

6.The fifth respondent/the Superintendent of Police, Virudhunagar District is directed to depute a Deputy Superintendent of Police to give police protection



W.P.(MD) No.23069 of 2017.

WEB COPY

to the respondents 2 and 3 to conduct survey in S.No.123, Ariyanendal Village, Kariapatti Taluk, Virudhunagar District.

7.The respondents 2 and 3 are directed to conduct survey in S.No.123, Ariyanendal Village, Kariapatti Taluk and fix the boundary stones for the sub-divisions as available in the revenue records. The petitioner is directed to pay necessary charges as undertaken above within a period of two weeks from the date of receipt of a copy of this order and the respondents 2, 3 and 5 shall coordinate and fix a date for surveying the aforesaid land within a period of eight weeks from the date of payment.

8.With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
Internet : Yes / No
Index : Yes / No
mm

23.12.2022



W.P.(MD) No.23069 of 2017.

WEB COPY

To

- 1.The District Surveyor,
District Survey and Settlement Department,
Collectorate Campus, Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.
- 3.The Head Surveyor,
O/o. Kariapatti Taluk Office,
Virudhunagar District.
- 4.The Superintendent of Police,
Virudhunagar District.



WEB COPY



W.P.(MD) No.23069 of 2017.

K.KUMARESH BABU, J.

mm

W.P.(MD) No.23069 of 2017

23.12.2022