



WEB COPY

W.P.No.25853 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25853 of 2023

A.Thangaraj

... Petitioner

Vs.

1.The District Collector,
Tiruppur,
Tiruppur District.

2.The Revenue Divisional Officer,
Udumalpet,
Tiruppur District.

3.The Tahsildar,
Udumalpet,
Tiruppur District.

4.The Firka Surveyor,
Udumalpet,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 3 and 4 from interfering with the petitioner property comprising in S.Nos.308, 309, 310 site number 75, 96 to 101 situated at Somavarapatti Village, Udumalpet



Taluk, Tiurppur District by considering the petitioner representation dated 01.06.2023.

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For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

The writ on hand has been filed to forbear the respondents 3 and 4 from interfering with the petitioner's property comprised in S.Nos.308, 309, 310, site numbers 75, 96 to 101 situated at Somavarapatti Village, Udumalpet Taluk, Tiurppur District by considering the petitioner's representation dated 01.06.2023.

2. Such a prayer sought for in the present writ petition cannot be granted unless a cause is established.

3. The learned counsel for the petitioner states that the respondents 3 and 4 are conducting survey, adjacent to the property belonging to the petitioner.

4. Under the Survey and Boundaries Act, the revenue authorities are



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empowered to conduct survey for the purpose of maintenance of the revenue records in the Government department. Such powers conferred under the Statute need not be interfered with unless the petitioner established a definite cause for considering the relief.

5. The petitioner himself is not aware of the purpose for which such survey is conducted. Therefore, the petitioner has not established any cause for the purpose of granting the relief. If at all the rights of the petitioner is infringed, then alone, the petitioner will be entitled to approach the competent authority or the forum as the case may be. Since no cause has been established in the present case, the petitioner is not entitled for the relief. Accordingly, the writ petition stands dismissed. No costs.

04.09.2023

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Index : Yes
Speaking order
Neutral Citation : Yes



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S.M.SUBRAMANIAM, J.

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