



W.P.No.30677 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.30677 of 2023

Jayapal

.. Petitioner

Vs.

1. The District Collector
Krishnagiri District.

2. The Thasildar
Uthangarai Taluk, Krishnagiri District.

3. The Block Development Officer
Uthangarai, Krishnagiri District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, to quash the proceedings in Na.Ka.No.4987/2022/A3 dated 27.09.2023 of second respondent with regard to petitioner's property in Survey No.264/5 measuring an extent of 0.60.5 hectares, in S.No.264/5 measuring an extent 0.40.5 and S.No.266/5 measuring an extent 0.20.0 hectares of agricultural lands situated at Periyakottakulam Village, Uthangarai Taluk, Krishnagiri District.



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For the Petitioner : Mr.K.Thiruvengadam

For the Respondents : Mrs.R.Anitha
Special Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.K.Thiruvengadam, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. The petitioner is challenging the notice issued for survey. The petitioner cannot be aggrieved by a survey being conducted.

3. According to the learned counsel for the petitioner, the petitioner is in possession of the subject property since the time of his ancestors for more than 130 years.

4. The petitioner has to prove his title. The petitioner can raise his objections before the authority concerned. Mere long duration of possession would not be sufficient to refrain the Authorities from taking action against the encroachment made on a waterbody.



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5. Be that as it may, the petitioner may file objections with the authorities within a period of seven days from today and the authorities shall thereafter consider the same and pass appropriate orders in accordance with law.

6. In the light of that, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.30335 and 30338 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

31.10.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
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(drm)

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