



W.P(MD)No.1192 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1192 of 2022

A.Mohammed Muthalip

... Petitioner

Vs

1.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai – 600 001.

3.Pather Nisha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to survey and fix the boundaries by measuring in S.No. 1472/1A, 1472/1B1B in Gangaikondan Village, Tirunelveli Taluk and District on considering the application of the petitioner dated 21.12.2021.

For Petitioner : Mr.G.Prabhu Rajadurai



WEB COPY



W.P(MD)No.1192 of 2022

For Respondents : Mr.A.K.Manikkam
Special Government Pleader for R.1

Mr.T.Amjad Khan
Government Advocate for R.2

Mr.T.Pakanisamy R.3

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 petitioner is permitted to submit a fresh application for conducting survey. 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



W.P(MD)No.1192 of 2022

fencing at the time of survey by using police aid. The Survey

Authority will pass order within a period of six weeks after service of notice on the interested persons.

(VII) A copy of the survey report will be served on the parties also.

There shall be no order as to costs.

01.03.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

- 1.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai – 600 001.



WEB COPY



W.P(MD)No.1192 of 2022

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.1192 of 2022

01.03.2023