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W.P.(MD)NO.1604 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1604 of 2023

Vijayarani

... Petitioner

Vs.

1. The Tahsildar,
Tahsildar Office,
Bodinayakkanur,
Theni District.

2. The Taluk Surveyor,
Tahsildar Office,
Bodinayakkanur,
Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to survey the property in Survey No.886/9 and Survey No.886/7 in Kodangipatti Village, Theni District and based on the petitioner's representation dated 05.01.2022.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.S.Jeyapriya,
Government Advocate.

* * *



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accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the objector is unable to obtain any injunction order, the survey can very well go on.

(IV) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(V) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(VI) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can never result in dispossession of any party. No person shall put up 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

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No costs.

27.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Tahsildar,
Tahsildar Office,
Bodinayakkanur,
Theni District.
2. The Taluk Surveyor,
Tahsildar Office,
Bodinayakkanur,
Theni District.



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G.R.SWAMINATHAN,J.

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