



W.P(MD)No.2686 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2686 of 2023

S.Shanmugam

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Thasildar,
Madurai East Taluk,
Madurai District.

3.The Head Surveyor,
Madurai East Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to protect the petitioner's rights by measuring and marking the petitioner's four boundaries of the Patta No.75 measuring 3 cents located in II Bit, Chakkimangalam, Madurai East Taluk, Madurai District.

For Petitioner : Ms.M.Baby Sudha

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader.



W.P(MD)No.2686 of 2023

objector is unable to obtain any injunction order, the survey can very well go on. It is open to the parties to serve memo of instructions to the surveyor at the time of conducting the survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(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.



W.P(MD)No.2686 of 2023

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

also. No costs.

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Thasildar,
Madurai East Taluk,
Madurai District.
- 3.The Head Surveyor,
Madurai East Taluk,
Madurai District.



WEB COPY



W.P(MD)No.2686 of 2023



WEB COPY



W.P(MD)No.2686 of 2023

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.2686 of 2023

03.03.2023