



W.P(MD)No.4114 of 2023

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.4114 of 2023

L.Muthupillai @ Muthulakshmi

... Petitioner

Vs

1.The District Collector,
Madurai District,
Collector Office Road,
Alwarpuram,
Madurai – 625 020.

2.The Special Tahsildar,
The Survey and Settlement,
Taluk Office,
Usilampatti – 625 532,
Madurai District.

3.P.Muthuramalinga Thevar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to survey the property at Re.Sy.No.333/6, Usilampatti Village and to fix the boundaries for the writ petitioner as per her title deed dated 11.11.2011 and to sub-divide the same in favour of writ petitioner.



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For Petitioner : Mr.H.Thayamanaswamy

For Respondents : Mrs.S.Jeyapriya

Government Advocate for R.1 & R.2

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. The petitioner's counsel asserts that the application given by the petitioner for conducting survey is in order.

2. The Writ Petition is disposed of with the following directions:-

(I) 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



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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

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G.R.SWAMINATHAN, J.

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