



1

W.P.(MD)No.4158 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4158 of 2023

and

W.M.P.(MD)No.3977 of 2023

Soosai @ Samikannu

... Petitioner

Vs.

1.The Tahsildar
Taluk Office,
Viralimalai Taluk,
Pudukkottai District.

2.The Sub-Inspector of Survey,
Viralimalai,
Pudukkottai District.

3.Parvathy

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in /302/2022 dated 20.01.2023 and quash the same as arbitrary and consequently direct the respondent Nos.1 and 2 cancel the patta issued in favour of the 3rd respondent within the time stipulated by this Court.

For Petitioner : Mr.K.Arunraj

For R1 & R2 : MrA.K.Manikkam
Special Government Pleader

**ORDER**

WEB COPY

Heard the learned counsel for the petitioner and the learned Special Government Pleader for respondents 1 and 2.

2.What is under challenge is only survey notice. The petitioner can very well place all his objections before the Survey authority. The survey authority is obliged to pass a speaking order on the petitioners objections. If the petitioner objections are overruled, even thereafter the survey cannot be undertaken immediately. The petitioner will be given a breathing time of six weeks to challenge the rejection order. I make it clear that I have not gone into the merits of the matter. All the contentions of the petitioner are left open.

3.The learned counsel for the petitioner strongly states that the property sought for to survey is a waterbody.

4. All the contentions of the the petitioner are to be borne in mind by the first respondent. With the liberty to the petitioner to lodge objection before the survey authority and direction to the first respondent



3

W.P.(MD)No.4158 of 2023

to pass a speaking order, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

28.02.2023

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

pnn

To

1.The Tahsildar
Taluk Office,
Viralimalai Taluk,
Pudukkottai District.

2.The Sub-Inspector of Survey,
Viralimalai,
Pudukkottai District.



WEB COPY



4

W.P.(MD)No.4158 of 2023

G.R.SWAMINATHAN,J.

pnn

W.P.(MD)No.4158 of 2023
and
W.M.P.(MD)No.3977 of 2023

28.02.2023