



WP(MD)No.9767 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP.(MD).No.9767 of 2023

Anthony Mechel Arul Raj

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Thoothukudi.
- 2.The Tahsildar,
Sathankulam Taluk,
Thoothukudi District.
- 3.The Deputy Superintendent Of Police,
Srivaikundam,
Thoothukudi District.
- 4.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
- 5.Anthony Raj
6. Don Bosco Geroqe



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7.Laurence Amaladas,
8.Loordhu Gnanam,
9. Henry Carmel Raj
10.Vincent David

... 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 1 and 2 to conduct survey the subject properties in Survey Nos. 499/12, 591/3A, 591/3C, 591/5C1, 585/3 and 499/18B at Sri Venkateswarapuram Village, Sathankulam Taluk, Thoothukudi District and demarcate the boundaries and consequentially, directing the respondents 3 and 4 to afford sufficient police protection for the respondents 1 and 2 to carry out the survey work.

For Petitioner : Mr.J.Barathan
For R1 to R4 : Mr.D.Farjana Ghoushia
Special Government Pleader
For R5 to R10 : No appearance

ORDER

The petitioner has applied for conducting a survey for his properties in Survey Nos. 499/12, 591/3A, 591/3C, 591/5C1, 585/3 and 499/18B at Sri Venkateswarapuram Village, Sathankulam Taluk,



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Thoothukudi District along with necessary fee on 14.11.2022. With a grievance that his application was not considered, the petitioner has filed this writ petition.

2.Today (11.07.2023), when this writ petition is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 4, on instructions submits that based on the petitioner's application dated 14.11.2022, when the respondents attempted to conduct a survey in the petitioner's land on 29.11.2022, the respondents 5 to 10 herein, who are the adjacent land owners of the petitioner have raised certain objections. Hence, the survey could not be completed.

3.Despite notice served on the respondents 5 to 10, they have not entered appearance before this Court.



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4. In view of the above, this writ petition is disposed of with a direction to the respondents 1 & 2 to conduct a survey in the petitioner's property within a period of four weeks from the date of receipt of a copy of this order, after ascertaining the revenue records with regard to the ownership of the subject property by the petitioner. In the event, if the respondents 5 to 10 have raised any objections, an enquiry shall be conducted as per Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 1923. If necessary, the respondents 1 & 2 are permitted to get police protection from the respondents 3 & 4 for conducting the survey. No costs.

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NCC : Yes / No.

Index : Yes / No.

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B.PUGALENDHI, J.

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Order made in
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