



W.P(MD)No.10382 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.10382 of 2023

S.Devadass

... Petitioner

Vs.

1.The Tahsildar
O/o. Thasildar Office,
Karaikudi,
Sivagangai District.

2.The Survey Officer
Karaikudi,
Sivagangai District.

3.S.Aarokkiasamy

4.S.Arulappan

5.S.Sasuraj

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first and second



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respondents to issue notice to all the parties concerned including the respondents 3 to 5 herein as per the Land Survey and Boundaries Act under Section 9 to 11 and may be surveyed and may be earmarked the boundaries in respect of the property in Survey No.397/7B in Natham Patta No.171 at Panagudi Village, Karaikudi Taluk, Sivagangai District, to an extent of 0.04.20 hectares on the basis of the petitioner's application dated 21.06.2022.

For Petitioner : Mr.A.George Stephen Kanikkairaj
For Respondents : Mr.N.Muthu Vijayan - for R1 & R2
Special Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction to the respondents 1 and 2 /Tahsildar and Survey Officer, Karaikudi, Sivagangai District, to issue notice to all the parties including the respondents 3 to 5 who are cousin brothers of the petitioner herein as per Land Survey and Boundaries Act, under Sections 9 and 11 and thereafter, conduct survey of the property at Survey No.397/7B in Natham Patta No.171, Panagudi Village, Karaikudi Taluk, Sivagangai



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District, measuring 0.04.20 hectors. The petitioner had given an application on 21.06.2022 and had also paid necessary charges on the same day.

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

3. The petitioner himself has come forward to state that notice must be issued to respondents 3 to 5 prior to conducting survey. This stand should be appreciated by this Court.

4. In view of the facts, a direction is given to the respondents 1 and 2 to proceed further to survey the aforementioned lands, but however, after ensuring that notice is issued not only to the petitioner but specifically, to respondents 3 to 5 and to any other individual to whom notice is required to be served. After issuing notice, the survey may be conducted. The entire exercise must be completed



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within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition stands disposed of. No costs.

27.04.2023

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

RM

To

1.The Tahsildar
O/o. Thasildar Office,
Karaikudi,
Sivagangai District.

2.The Survey Officer
Karaikudi,
Sivagangai District.



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C.V.KARTHIKEYAN, J.

RM

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