



WP(MD). No.13471 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09/06/2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WP(MD). No.13471 of 2023

S.Chithra

... Petitioner

Vs.

- 1.The Tahsildar
Thiruppathur Taluk Office,
Sivagangai District.
- 2.The Firka Surveyor
Ilaiyathankudi South,
Thiruppathur Taluk Office,
Sivagangai District.
- 3.The Inspector of Police
Keelasevalpatti Police Station,
Sivagangai District.
- 4.Shanmugam
- 5.Baskaran

... Respondents



WP(MD). No.13471 of 2023

For Petitioner : Mr.R.Sivalingam

For Respondents : Mr.D.S.Nedunchezian, - for R1 to R3

Government Advocate

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to survey the petitioners land in Survey No.176/1 in patta No.3778 with an extent of 1 acre 61 cents situated in Sendhani Vayal, Kallaapettai village, Ilaiyathankudi South Revenue Group, Thiruppathur Taluk, Sivagangai District, along with police protection on the basis of the petitioners application dated 06.04.2023.

ORDER

The Writ petition has been filed in the nature of a Mandamus seeking a direction to the respondents 1 and 2 /Tahsildar and Firka Surveyor of Thirupathur Taluk Office, Sivagangai District, to survey the lands of the petitioner in Survey No.176/1 in patta No.3778 measuring 1 acre and 61 cents at Sendhani Vayal, Kallaapettai village, Ilaiyathankudi



WP(MD). No.13471 of 2023

South Revenue Group, Thiruppathur Taluk, Sivagangai District. The petitioner had given an application on 06.04.2023. He had also paid necessary charges.

2. It is stated by the learned counsel for the petitioner that the respondents 4 and 5 herein, have attempted to break the boundary stones of the petitioner herein. It is therefore stated that the land of the petitioner should be surveyed.

3. A direction is given to the respondents 1 and 2 to issue notice to the respondents 4 and 5, quite apart from the petitioner herein and examine the documents of the petitioner and also that of the respondents 4 and 5 and if satisfied, proceed to survey the lands. If it is found that there is a dispute relating to the holding of the lands then, the parties will have to be directed to approach the civil Court. The entire exercise must be completed within a period of eight weeks from the date of receipt of a copy of this order.



WP(MD). No.13471 of 2023

4. Placing that particular obligation on the respondents 1

and 2, the Writ petition stands disposed of. No costs.

5. I am consciously not taking a decision to issue notice to respondents 4 and 5 because a direction has been given to the second respondent to issue notice to respondents 4 and 5 before proceeding to conduct survey and to take necessary steps only in their presence.

09.06.2023

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

RM



WP(MD). No.13471 of 2023

To

WEB COPY

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Sivagangai District.
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WP(MD). No.13471 of 2023

C.V.KARTHIKEYAN, J.

RM

W.P(MD)No.13471 of 2023

09.06.2023