



W.P.(MD)No.18498 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 31.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P.(MD)No.18498 of 2023**

Ganesan

... Petitioner

versus

1. The District Collector,  
Theni District.
2. The Tahsildhar,  
Periyakulam,  
Theni District.
3. The Taluk Surveyor,  
Periyakulam,  
Theni District.
4. The Inspector of Police,  
Jeyamangalam Police Station,  
Theni District.
5. Munniyandi Thevar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,  
seeking for the issuance of Writ of Mandamus, to direct the respondent  
Nos.2 and 3 to conduct survey and demarcate the boundaries of the



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petitioner's land situated in Survey No.1866/1B in Gullapuram Village, Periyakulam, Theni District and to provide adequate police protection for fencing his lands within the time stipulated by this Court.

For Petitioner : Mr.A.Karthick Kumar  
For R1 to R3 : Mr.M.Sarangan,  
Additional Government Pleader  
For R4 : Mr.P.Kottaichamy,  
Government Advocate

### **ORDER**

The petitioner has submitted an application dated 05.06.2023, before the respondents 2 and 3, requesting them to survey his land. Since the said application has not been considered by the respondents, the petitioner is before this Court.

2. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for respondents 1 to 3, on instructions, submits that based on the petitioner's application, when the survey officials attempted to survey the land, at that time, the 5<sup>th</sup> respondent has raised certain objections and therefore, survey could not be conducted.



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3. If there is any objection, the survey officials shall cause notice to the objectors, as per Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923 and thereafter, to take decision on survey based on their objections.

4. The survey officials, by referring to the objection made by the 5<sup>th</sup> respondent, cannot keep the petitioner's application pending without any progress. Therefore, the 3<sup>rd</sup> respondent is directed to issue a notice to the 5<sup>th</sup> respondent and other objectors, if any and thereafter, take a decision in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

**31.07.2023**

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

**B.PUGALENDHI, J.**



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