



W.P(MD)No.19280 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19280 of 2023

Mariya Anthoni Destonis

... Petitioner

Vs

1.The Thasildar,
Taluk Office,
Rameswaram,
Rameswaram Taluk,
Ramanathapuram District.

2.The Surveyor,
Office at Taluk Office of Keelakarai,
Rameswaram,
Rameswaram Taluk,
Ramanathapuram District.

3.Annamerry

4. James Amalraj

...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 & 2 to survey and fix the boundary line to the petitioners property bearing Survey No.115/2A2 to an extent of 29 cents in Thanneer Oottru Village, Pamban revenue village,



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Rameswaram Taluk, Ramanathapuram District.

For Petitioner : Mr.J.M.Hassanul Bazari
For R1 & R2 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The petitioner has applied for survey of his land in Survey No.115/2A2, Thanneer Oottru Village, Pamban revenue village, Rameswaram Taluk, Ramanathapuram District on 18.04.2023 and has filed this writ petition that his application has not been considered by the respondents so far.

2.Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the respondents on instructions submits that based on the petitioner's application, the Survey officer has issued a notice to the adjacent land owners including the respondents 3 & 4. The respondents 3 & 4 have raised certain objections on 07.06.2023. When they attempted to conduct the survey, the respondents 3 & 4 were not present and therefore, the survey could not be completed.



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3.Considering the submissions made by the learned Special Government Pleader, this writ petition is disposed of with the following directions:-

- i. The Survey Officer is directed to conduct an enquiry under Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 1923 after issuing notice to the adjacent land owners including the respondents 3 & 4 and to pass an order either to reject their objections or to proceed with the survey.
- ii. In the event, if the respondents 3 & 4 have raised further objections without any valid reasons, the Survey Officer shall obtain police protection and conduct the survey. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

09.08.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
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B.PUGALENDHI, J.

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Order made in
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