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W.P.(MD)NO.18413 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18413 of 2015

S.Pandiyan(died)

P.Anusiya

(Petitioner is substituted vide order dated 17.07.2023
in W.M.P.(MD)No.11613 of 2022)

... Petitioner

Vs.

1. The Tahsildar,
Madurai South Taluk Office,
Madurai.

2. The Inspector of Police(Law and Order),
Theppakulam police station,
Madurai.

3. Murugesan

4. Balasubramanian

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to give police protection to indentify and measure the petitioner's properties in Madurai T.S.No.32 an extent of 7 cents and T.S.No.33 an extent of 23 cents.

For Petitioner : Mr.G.Gomathi Sankar

For R-1 & R-2 : Mrs.K.Christy Theboral,
Additional Government Pleader.

For R-4 : Mr.M.Pounraj

For R-3 : Mr.V.Srinivasan



after service of notice on the interested persons.

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(III) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the objector is unable to obtain any injunction order, the survey can very well go on.

(IV) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(V) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(VI) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken



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pursuant to the direction of this Court can never result in dispossession of any party. No person shall put up fencing at the time of survey by using police aid.

(VII) A copy of the survey report will be served on the parties also.

No costs.

17.07.2023

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

To:

1. The Tahsildar,
Madurai South Taluk Office,
Madurai.
2. The Inspector of Police(Law and Order),
Theppakulam police station,
Madurai.



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5

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G.R.SWAMINATHAN,J.

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