



W.P(MD)No.3260 of 2015

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 22.08.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.3260 of 2015  
and  
M.P.(MD)Nos.1 and 2 of 2015

Sangampillai

... Petitioner

Vs.

1.The District Revenue Officer,  
Trichy.

2.The Revenue Divisional Officer,  
Musiri Taluk, Musiri,  
Trichy District.

3.The Thasildar,  
Tottiyam Taluk,  
Thottiyam,  
Trichy District.

4.The Taluk Surveyor,  
Thottiyam Taluk,  
Thottiyam,  
Trichy District.

5.Periyaammal

... Respondents



**W.P(MD)No.3260 of 2015**

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the entire records in connection with the impugned memo of the 4th respondent in FLA 336/14 dated 07.10.2014 and quash the same.

For Petitioner : Mr.K.K.Senthil

For Respondents : Mr.D.Gandhiraj,  
Spl. Government Pleader for R1 to R4.  
Mr.D.Gurusamy for R5.

### **ORDER**

Heard the learned counsel on either side.

2.What is under challenge is only the notice proposing to conduct survey. The application was given by the fifth respondent. So far survey does not appear to have been taken place. Therefore, the fourth respondent has to necessarily issue fresh notice. As and when the petitioner receives such notice, it is always open to the petitioner to officer his objections. The competent authority will have to necessarily consider the petitioner's objections and pass a speaking order before conducting survey. I have consistently held that in the event of rejecting



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the objections, survey cannot be rushed through immediately and breathing time has to be given to the objector.

3.Leaving open the rights of the petitioner, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**22.08.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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To:-

- 1.The District Revenue Officer,  
Trichy.
- 2.The Revenue Divisional Officer,  
Musiri Taluk, Musiri,  
Trichy District.
- 3.The Thasildar,  
Tottiyam Taluk,  
Thottiyam,  
Trichy District.
- 4.The Taluk Surveyor,  
Thottiyam Taluk,  
Thottiyam,  
Trichy District.

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**G.R.SWAMINATHAN, J.**

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