



W.P.(MD)No.20791 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20791 of 2023

J.Janagi Ammal

... Petitioner

versus

1. The Deputy Superintendent of Police,
Periyakulam,
Theni District.

2. The Inspector of Police,
Thenkarai Police Station,
Theni District.

3. The Thasildar,
Periyakulam Taluk,
Theni District.

4. The Town Surveyor,
Municipality Office,
Periyakulam Taluk,
Theni District.

5. Muthukrishnan @ Muthiah

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the
respondents 3 and 4 to consider the petitioner's representation dated



W.P.(MD)No.20791 of 2023

14.08.2023 within a time stipulated by this Court and consequently, direct the 1st and 2nd respondents to give police protection for survey and fencing the petitioner land situated in Survey No.TS.4628/1A2A now sub divided as Survey No.4628/20 at Periyakulam Village, Periyakulam Taluk, Theni District.

For Petitioner : M/s.R.Vennila
For R3 and R4 : Mr.M.Sarangan,
Additional Government Pleader
For R1 and R2 : Mr.P.Kottaichamy,
Government Advocate

ORDER

The petitioner has submitted an application dated 27.04.2023 to the respondents 3 and 4 requesting him to survey her land in Survey No.TS.4628/1A2A now sub divided as Survey No.4628/20 at Periyakulam Village, Periyakulam Taluk, Theni District. Since the said application has not been considered, the petitioner has filed this present writ petition.

2. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for respondents 3 and 4, on instructions, submits that based



W.P.(MD)No.20791 of 2023

on the petitioner's application, when the Survey Officials visited the place, one Muthukrishnan, an adjacent land owner, has raised certain objection and prevented the officials from conducting survey and therefore, survey could not be conducted.

3. If there is any objection from the adjacent land owners, the Survey Officer is expected to issue a notice to them and thereafter, he has to take a decision considering their objection if it is valid.

4. Accordingly, this writ petition is disposed of with a direction to the respondents 3 and 4 to issue a notice to the objectors as per Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923 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. No costs.

25.08.2023

ogy

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

3 / 4



WEB COPY



W.P.(MD)No.20791 of 2023

B.PUGALENDHI, J.

ogy

To

1. The Deputy Superintendent of Police,
Periyakulam,
Theni District.
2. The Inspector of Police,
Thenkarai Police Station,
Theni District.
3. The Thasildar,
Periyakulam Taluk,
Theni District.
4. The Town Surveyor,
Municipality Office,
Periyakulam Taluk,
Theni District.

W.P.(MD)No.20791 of 2023

25.08.2023