



W.P(MD)No.21888 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21888 of 2023

Lakshmi

... Petitioner

Vs

- 1.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.
- 2.The Head Surveyor,
Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.
- 3.The Firka Surveyor,
Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.
- 4.The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
- 5.Karuppaiyan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the



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respondents 1 to 3 to survey and demarcate the petitioner's properties comprised in Survey No.139/1, Patta No.632, to an extent of 1.04 Ares and Survey No.140/2A, Patta No.1031 to an extent of 0.63 Ares situated at Neiveli Vadapathi, Orathanadu Taluk, Thanjavur District and consequently direct the fourth respondent to provide police protection at the time of survey and demarcate the petitioner's properties, by considering the petitioner's representation dated 24.08.2023 within the time frame that may be fixed by this Court.

For Petitioner	:Mr.K.Malaimaran
For R-1 to R-3	:Ms.D.Farjana Ghowsia, Special Government Pleader
For R-4	:Mr.P.Kottaichamy, Government Advocate

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner with a grievance that his application for conducting the survey has not been considered has filed this writ petition.



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3. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that based on the application of the petitioner, twice the survey officer has visited the land for conducting survey, but they could not complete the survey because of the objection raised by one Karuppaiah. She further submits that in this regard, a criminal case is also pending between the parties.

4. This Court considered the rival submissions made by both parties.

5. If the third party is having any grievance or raising any objections, the same shall be considered by the survey officer in accordance with law contemplated under Section 10(1) of the Tamil Nadu Survey and Boundaries Act, 1923 and pass an orders, thereafter proceed with the survey after obtaining necessary police protection. The said exercise shall be completed within 12 weeks from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of.

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No costs.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

08.09.2023

To

- 1.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.
- 2.The Head Surveyor,
Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.
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Orathanadu Taluk Office,
Orathanadu,
Thanjavur District.
- 4.The Inspector of Police,
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B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.21888 of 2023

08.09.2023