



WP (MD) No.8109 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.8109 of 2017
and
WMP(MD)No.13105 of 2021**

S.Chinnammal

... Petitioner

Vs

1.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.

2.The Surveyor,
Thirupathur Taluk and Office,
Sivagangai District.

3.M.Shanmugasundram

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 and 2 to conduct survey of the petitioner's land in S.No.349/10 in S.Puthur Village, Thirupathur Taluk, Sivagangai District based on the application dated 15.02.2017.

For petitioner : Mr.N.Sudharsan

For Respondent : Mr.J.K.Jeyaseelan,
Nos.1 & 2 Government Advocate

For Respondent : Mr.D.Parisuthanathan
No.3



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ORDER

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The petitioner with a grievance that his application to conduct survey in the year 2017 has not been considered, has filed this writ petition for a writ of mandamus directing the respondents 1 and 2 to conduct survey on the petitioner's land in S.No.349/10 in Puthur Village, Thirupathur Taluk, Sivagangai District based on his application.

2.The learned Counsel for the petitioner submits that though the petitioner has paid the required fee along with the application, the respondents have not conducted the survey and therefore, the petitioner has filed this writ petition. Even after issuance of notice in this writ petition, the respondents have not conducted the survey.

3.The learned Additional Government Pleader appearing for the respondents submits that there is a dispute between the petitioner and the respondent No.3 and he has raised objections. In view of the objections raised, they have not conducted survey.



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4. In view of the above, this writ petition is disposed of with direction to the respondents to issue notice under Section 10 of the Tamil Nadu Survey and Boundaries Act to the objector and to shall a decision on the petitioner's application. Let the exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

03.10.2023

Internet : Yes / No

Index : Yes / No

NCC : Yes / No

dsk

To

1. The Tahsildar,
Thirupathur Taluk,
Sivagangai District.

2. The Surveyor,
Thirupathur Taluk and Office,
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B.PUGALENDHI, J.

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