



W.P(MD)No.21886 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21886 of 2023

K.Sakthivel

... Petitioner

Vs

1.The Tahsildar,
Manamelkudi Taluk,
Pudukkottai District.

2.The Firka Surveyor,
Manamelkudi Taluk,
Pudukkottai District.

3.Dhandayuthapani

4.Kumar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to survey the petitioner's land in S.F.No.8/8 measuring to an extent of 0.14.0 Acre situated at Solani Village, Manamelkudi Taluk, Pudukkottai District and fix the boundary stones based on the petitioner's application dated 19.06.2023 within a time frame.



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For Petitioner :Mr.M.Suresh
For R-1 & R-2 :Ms.D.Farjana Ghowsia,
Special Government Pleader

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.

3. The learned Special Government Pleader appearing for the respondents submitted that based on the application of the petitioner, twice the survey officer has visited the land for conducting the survey, but they could not complete the survey because of the objection raised by the third respondent Thandayuthapani. 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.



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5. If the third respondent or the fourth respondent are 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.

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

No costs.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

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To

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B.PUGALENDHI, J.

am

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