



W.P.(MD)No.23334 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.23334 of 2023

and W.M.P.(MD)Nos.19521, 19522 and 19523 of 2023

K.Nataraj

... Petitioner

versus

1. The Tahsildar,
Ottanchathiram Taluk,
Dindigul District.

2. The Head Surveyor,
Devathur Circle,
Ottanchathiram Taluk,
Dindigul District.

3. The Panchayat President,
Kothayam Panchayat,
Ottanchathiram Taluk,
Dindigul District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent in his impugned undated notice and quash the same as devoid of merits and consequently, direct the respondents not to disturb the petitioner's peaceful possession of land in Survey No.726/1A3, situated at Kothayam Village, Ottanchathiram



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Taluk, Dindigul District within the stipulated period.

For Petitioner : Mr.T.Ramasamy
For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition as against the notice issued by the second respondent/the Head Surveyor, Ottanchathiram for conducting survey in the land in Survey No.726/1A3, situated at Kothayam Village, Ottanchathiram Taluk, Dindigul District

2. The learned counsel appearing for the petitioner submits that the petitioner has not made any request for conduct of survey, however, a notice has been issued to the petitioner.

3. Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submits that on the application submitted by one Natarajan for conduct of survey in the land in Survey No.726/1A3, a notice has been issued to



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the petitioner.

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4. As per Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923, the Survey Officer has to issue a notice to the concerned parties, before conducting survey. If the petitioner is having any grievance with regard to the same, he is having every right to raise his objection before the Survey Officer.

6. Accordingly, this writ petition is disposed of with liberty to the petitioner to submit his objections before the second respondent/the Head Surveyor, Ottanchathiram. If any such objection is received, the second respondent/the Head Surveyor, Ottanchathiram, shall consider the same and take a decision in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

25.09.2023

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Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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