



W.P(MD)No.23766 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.23766 of 2023

Kaluvathevar .K

... Petitioner

Vs

- 1.State of Tamil Nadu,
Rep. by its District Collector,
Theni District,
Theni.
- 2.The Tahsildar,
Andipatti Taluk,
Theni District.
- 3.The Sub Divisional Surveyor,
Mayiladumparai Sub Division,
Theni District.
- 4.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
- 5.Savarimuthu.K

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to consider the representation dated 12.09.2022,



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for the measurement of the property to an extent of 42 3/4 Cent land, situated in Survey NO.1038/8 and 1038/9 situated in Kombaitolu, Mayladumparai Panchayat Union, Andipatti Taluk, Theni District and also direct the 4th respondent to give police protection at the time of land survey by considering the petitioner's representation dated 08.09.2023.

For Petitioner : Mr.P.Chandrasekar
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.P.Kottaichamy
Government Advocate

ORDER

The petitioner with a grievance that his application, dated 12.09.2022 for survey of his land has not been considered by the respondents has filed this writ petition.

2.Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the respondents 1 to 3 submits that when they attempted to survey the petitioner's land, one Savarimuthu has raised certain objections. Hence, the survey could not be concluded. They are intending to conduct the survey on 12.10.2023.



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3.Considering the submissions made by the learned Special Government Pleader, this writ petition is disposed of with a direction to the respondents to conduct an enquiry under Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923 after issuing notice to the adjacent land owners and on completion of the enquiry, the respondents shall proceed with the survey accordingly. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. No costs.

29.09.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.23766 of 2023

29.09.2023