



W.P(MD)No.28034 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28034 of 2023

M.Karuppaiah

... Petitioner

Vs.

1.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

2.The Surveyor,
Thiruppathur Taluk,
Sivagangai District.

... 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 respondents survey the land comprising in S.No. 71/2B1 to an extent of 0.9.40 hectares situated at Sevvur Village, Thiruppathur Taluk, Sivagangai District, based on the online application made by the petitioner on 12.09.2023.

For Petitioner : Mr.P.Aju Tagore

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned lands and for demarcation of the boundaries.



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Since the authority had not acted upon the petitioner's request, this writ petition came to be filed.

2.This writ petition is disposed of at the admission stage itself. It is open to any aggrieved party to move this Court either by way of review or recall of this order, if there is any suppression of material facts by the petitioner.

3.The Writ Petition is disposed of with the following directions:-

(I) The survey authority will scrutinize if the application submitted by the petitioner is in order.

(II) The petitioner will have to enclose all the relevant documents such as patta. The applicant must have individual patta in his / her name. If he / she is having joint patta, co-pattadars must given their consent for conducting survey.

(III) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(IV) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.



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never result in dispossession of any party. No person shall put up fencing at the time of survey by using police aid.

(X) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice on the interested persons.

(XI) A copy of the survey report along with sketch will be served on the parties. No costs.

28.11.2023

Index : Yes / No
Internet : Yes/ No
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To

1.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

2.The Surveyor,
Thiruppathur Taluk,
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G.R.SWAMINATHAN, J.

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