



W.P(MD)No.30468 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30468 of 2023

M.Anthony Joseph

... Petitioner

Vs.

1.The Tahsildar,
Srirangam Taluk,
Trichy District.

2.The Village Administrative Officer,
Sethurapatti Village,
Srirangam Taluk,
Trichy District.

3.The Inspector of Police,
Manikandam Police Station,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to conduct survey as per Tamil Nadu Survey and Boundaries Act, 1923 and to fix boundaries in respect of lands comprised the land in Survey No.70/2, measuring 4 Acres and situated at



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Sethurapatti Village, Sri Rangam Taluk, Trichy District and fix the boundaries in the said survey numbers and also issue direction to third respondent herein to provide adequate police protection by considering the writ petitioner's application dated 17.07.2018, 10.06.2019, 14.08.2020, and 28.08.2021, within the time stipulated by this Court.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 & R.2

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.3

ORDER

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



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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 give 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.

(V) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction.



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(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.

20.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Tahsildar,
Srirangam Taluk,
Trichy District.
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Trichy District.
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G.R.SWAMINATHAN, J.

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