



W.P(MD)No.30582 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30582 of 2023

V.G.Ramdoss

... Petitioner

Vs.

1.The Revenue Divisional officer,
Madurai, Madurai District.

2.The Tahsildhar,
Madurai West Taluk,
Madurai.

... 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 to demarcate and fix the boundary and issue patta by completing the subdivision of the petitioner property in T.S.No.399, Door No.42 and 44 situated at Ward No.5, Town Hall Road, Madurai - 625 001, by considering the petitioner's application dated 28.02.2023 within the period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.C.Satheesh,
Government Advocate.



W.P(MD)No.30582 of 2023

WEB COPY

(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. If before the proposed date of survey, the objector is unable to obtain any injunction order, the survey can very well go on.

(VI) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(VII) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to



WEB COPY



W.P(MD)No.30582 of 2023

move the jurisdictional civil Court for agitating his rights.

(VIII) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(IX) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can 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.

20.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



W.P(MD)No.30582 of 2023

WEB COPY

To:-

- 1.The Revenue Divisional officer,
Madurai, Madurai District.
- 2.The Tahsildhar,
Madurai West Taluk,
Madurai.



WEB COPY



W.P(MD)No.30582 of 2023

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.30582 of 2023

20.12.2023