



W.P(MD)No.7325 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7325 of 2024

C.Murugesan

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar,
Tahsildar Office,
Thuraiyur Taluk,
Trichirappalli District.

3.The Surveyor (Land),
Thuraiyur Taluk,
Trichirappalli District.

4.Andi

... 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 survey and demarcate the petition mentioned property in Survey No.31/2C T.Mangapatti Pudur, Thalugai, Thuraiyur taluk, Trichy District to an extent of 0.10.5 ares (Pothupathai and Pothu kinaru (Well) corresponding to the Joint Patta No. 2366 on the basis of petitioner representations dated 10.02.2024 and 15.02.2024 within the time that may be stipulated by this Court.



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For Petitioner : Mr.G.Kumaresan

For Respondents : Mr.S.Kameswaran,
Government Advocate for R1 to R3.

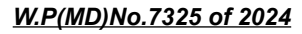
ORDER

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.

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.



(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.



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

25.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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Thuraiyur Taluk,
Trichirappalli District.
3. The Surveyor (Land),
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G.R.SWAMINATHAN, J.

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