



W.P(MD)No.7477 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7477 of 2024

Arjunan

... Petitioner

Vs.

1.The Tahsildar,
Madurai North Taluk Office,
Madurai Collectorate Office,
Madurai.

2.The Firka Surveyor,
Chatthirapatti Firka,
Madurai North,
Madurai.

3.The Inspector of Police,
Chatthirapatti Police Station,
Madurai North,
Madurai.

4.S.Shanmugam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,



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praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 3 to conducting survey of the petitioner's property in SF No.30/7A2 with an extent 0.10.86 Ares, (Patta No.1555) of Manjampatti Village, Madurai North Taluk, Madurai District with the help of third respondent police in the light of petitioner's registered sale deed dated 16.03.2006 and revenue records by considering petitioner's representation dated 29.02.2024.

For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office

For Respondents : Mr.S.Kameswaran
Government Advocate for R.1 & R.2

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

Mr.M.Jegadeesh Pandian for R.4

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.



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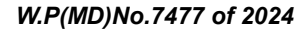
2.This writ petition is disposed of at the admission stage itself. It is open to any aggrieved party to move this Court either by way of review or recall of this order, if there is any suppression of material facts by the petitioner.

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

(I) The petitioner is directed to submit his / her application in online mode. 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.



(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.



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(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.

26.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

MGA

To

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