



W.P(MD)No.7394 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7394 of 2024

Ranjani

... Petitioner

Vs.

1.The Tahsildar,
O/o. Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.

2.The Zonal Deputy Tahsildar,
O/o.Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.

3.The Head Surveyor,
O/o. Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.

4.The Surveyor,
O/o. Thiruvaiyaru Taluk Office,
Rayempettai Revenue Village,
Thiruvaiyaru Taluk, Thanjavur 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 1 to 4 to consider the petitioner's online application No.2020/0105/21/083664, dated on 17.09.2020 to conduct sub division process bearing Survey No.223B/4 admeasuring 150 square meters out of 750 square meters at Rayempettai



W.P(MD)No.7394 of 2024

Revenue Village, Thiruvaiyaru Taluk, Thanjavur District and identify the four boundaries in the said property and issue individual patta within the time as stipulated by this Court.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.K.S.Selvaganeshan,
Additional 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. 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.



W.P(MD)No.7394 of 2024

(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

SKM



W.P(MD)No.7394 of 2024

To:

WEB COPY

- 1.The Tahsildar,
O/o. Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.
- 2.The Zonal Deputy Tahsildar,
O/o.Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.
- 3.The Head Surveyor,
O/o. Thiruvaiyaru Taluk Office,
Thiruvaiyaru Taluk, Thanjavur District.
- 4.The Surveyor,
O/o. Thiruvaiyaru Taluk Office,
Rayempettai Revenue Village,
Thiruvaiyaru Taluk, Thanjavur District.



WEB COPY



W.P(MD)No.7394 of 2024

G.R.SWAMINATHAN, J.

SKM

W.P(MD)No.7394 of 2024

25.03.2024