



W.P(MD)No.7417 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.7417 of 2024

A.Marimuthupandian

... Petitioner

Vs.

1.The Tahsildar,
Kamudhi Taluk, Kamudhi,
Ramanathapuram District.

2.The Head Surveyor,
Kamudhi Taluk,
Kamudhi,
Ramanathapuram District.

3.Jothi W/o.Muniyasami
Door No.05/106, Perunali Village,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents

(R3 suo motu impleaded vide
order dated 25.03.2024)

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 the property, namely, Punja Land comprised in Survey No.28/3C, measuring about 0.45.46 Hectares i.e. 1 Acre 12 1/4 cents bearing Patta No. 8198 situated at Perunazhi Village, Kamudhi Taluk, Ramanathapuram District and demarcate the four boundaries by fixing the boundary stones based on the



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petitioners Online Application dated 06.02.2024 within a time as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.M.Lingadurai,
Special Government Pleader for R1 & R2

Mr.A.Devaki for 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 petitioner is directed to submit his / her application in on-line mode. The survey authority will scrutinize if the application submitted by the petitioner is in order.



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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. If the petitioner wants to put up fencing and if there is any objection from any private party, fencing can be put up only after the petitioner obtains decree from the jurisdictional Civil Court.

(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

Index : Yes / No
Internet : Yes/ No
SKM



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G.R.SWAMINATHAN, J.

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