



W.P.(MD)No.23293 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED **08.01.2024**

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.23293 of 2023

E.Alagar

...Petitioner

/Vs./

1.The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

2.The Taluk Surveyor,
Vedasanthur Taluk,
Dindigul District.

3.G.Sarkarai @ Sarkarai Raj

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to survey the land comprised in Survey No.627/1B at Kanapadi Village, Vedasanthur Taluk, Dindigul District by considering the petitioner's representation dated 04.08.2023 within the time frame fixed by this Court.

For Petitioner : Mr.C.Prithviraj

For Respondents : Mr.D.Gandhiraj (R1 & R2)

Special Government Pleader



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ORDER

This writ petition has been filed for issuance of writ of mandamus directing the official respondents to survey the land comprised in Survey No. 627/1B at Kanapadi Village, Vedasanthur Taluk, Dindigul District by considering the petitioner's representation dated 04.08.2023.

2. The case of the petitioner is that the petitioner is in possession and enjoyment of the petition mentioned property and patta has also been issued in his favour. Survey of the aforementioned property has already been conducted based on the application made by the petitioner. After survey, when the petitioner attempted to fence the property, the third respondent herein damaged the survey stones and demolished the demarcated area. At the time of survey, the third respondent has not raised any objection. Hence, the petitioner made another application on 04.08.2023 and paid necessary fees. Since no action has been taken by the respondents, this writ petition has been filed.

3. The petitioner had already filed a writ petition in WP(MD)No.23425 of 2023, which was also disposed by this Court on 27.09.2023, wherein this



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Court directed the official respondents to conduct enquiry as to whether the third respondent herein has destroyed the boundary stones, which have been fixed by the department officials and if it is found that the third respondent herein has destroyed the boundary stones, the official respondents shall take necessary action and initiate criminal prosecution as against him.

4. The learned Special Government Pleader appearing for the official respondents submits that pursuant to the aforesaid order, a notice has been sent to survey the property on 12.01.2024, which has also been produced before this Court.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents.

6. It is seen that the survey of the aforementioned property is going to be conducted on 12.01.2024 and hence, this Court directs the official respondents to conduct survey of the aforementioned property as per the notice issued by the first respondent, after issuing notice to the third respondent and the interested parties, if not already been issued, by following due process of law.



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WEB COPY 7. With the above direction, this writ petition is disposed of. No costs.

08.01.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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TO:-
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Vedasanthur Taluk,
Dindigul District.
- 2.The Taluk Surveyor,
Vedasanthur Taluk,
Dindigul District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.23293 of 2023

Dated:
08.01.2024