



WP(MD)No.24085 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**WP(MD)No.24085 of 2024**

K.Chandra

.. Petitioner

v.

1.The Tahsildar,  
Thirumangalam Taluk,  
Madurai District.

2.The Taluk Surveyor,  
A.Kokkulam Village,  
Thirumangalam Taluk,  
Madurai District.

3.The Inspector of Police,  
Chekkaoorani Police Station,  
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 & 2 to conduct survey as per Tamil Nadu Survey and Boundaries Act, 1923 and to fix boundaries in respect of the lands in S.Nos.215/3E, 226/5, 216/7C2,



WP(MD)No.24085 of 2024

226/7, measuring 17.5 Ares, situated at A.Kokkulam Village, Thirumangalam Taluk, Madurai District and directing the third respondent to provide adequate police protection, as per the proceedings of the first respondent in No.2024/0123/24/005431.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.D.S.Nedunchezian,  
Government Advocate  
for R.1, R.2

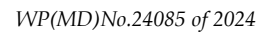
Mr.K.Gnasekaran,  
Government Advocate (Crl. Side)  
for R.3

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### **ORDER**

The petitioner has made an application for conducting survey on 17.09.2024 and has approached this Court seeking a mandamus.

2.Mr.D.S.Nedunchezian, learned Government Advocate takes notice for the respondents 1 & 2 and submitted that they have considered the petitioner's application and have also went for conducting survey on



apprehending law and order problem, the survey could not be conducted.

adequate police protection.

and perused the materials placed on record.

directions:-

by the petitioner, if it is in order.

such as patta. If the petitioner is having only a joint patta, he must



get consent from the co-pattadors for conducting survey.

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c) The survey authority shall issue notice to the petitioner as well as to the adjacent land owners and also to the interested persons, if any.

d) The survey authority shall conduct an enquiry u/s.10 of the Tamil Nadu Survey and Boundaries Act, 1923. During enquiry, the objections raised by the adjacent land owners / interested persons shall be considered.

e) If the surveyor finds the objections to be having substance, then, he shall pass appropriate orders calling upon the applicant to move the jurisdictional civil Court.

f) If, according to the survey authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey shall be conducted only after a period of six weeks, enabling the objectors to move the concerned Court for injunction, if they are so advised. If, before the proposed date of survey, the objectors are not able to obtain any injunction order, then the survey can very well go on.



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g) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. Though it is not binding on the surveyor, he shall take note of the same.

h) If required, the surveyor is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

i) 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 directions 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.

j) The surveyor shall conclude the entire exercise, one way or the other, within a period of six weeks after service of notice on the interested persons.

k) After the survey, a copy of the survey report along with the sketch shall be served on the parties.



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WP(MD)No.24085 of 2024

**B.PUGALENDHI, J.**

gk

There shall be no order as to costs.

Index : Yes / No  
NCC : Yes / No  
Internet : Yes  
gk

**14.10.2024**

To

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