



W.P.(MD) No.24603 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24603 of 2024

and

W.M.P.(MD) No.20945 of 2024

Puthiyavan

.. Petitioner

Vs.

1.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

2.The Taluk Surveyor,
Tenkasi Taluk,
Tenkasi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the first respondent through Short Message Service (SMS) to the petitioner's Mobile No. 9994740497, dated 06.08.2024 and quash the same and consequently direct the respondents to conduct the survey and measure the property comprised in Survey No.86/2B1B of Kalloorani Village, Tenkasi Taluk, Tenkasi District within a time to be stipulated by this Court.



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For Petitioner : Mr.V.Sasi Kumar
For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

This writ petition has been filed for the following relief:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ or Order or Direction or in nature of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order issued by the 1st respondent through Short Message Service (SMS) to the petitioner's Mobile No. 9994740497, dated 6.8.2024 and quash the same and consequently direct the respondents to conduct the survey and measure the property comprised in Survey No.86/2B1B of Kalloorani Village, Tenkasi Taluk, Tenkasi District within a time stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.”



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2. It is informed by Mr.D.S.Nedunchezian, learned Government Advocate that the survey could not be conducted, as there were objections.

3. In the light of the above, this Writ Petition is disposed of with the following directions:

- (a) The first respondent shall consider the objections;
- (b) If valid objections are made, the first respondent shall not proceed with the survey, but shall pass a speaking order giving reasons as to why he is not proceeding with the survey;
- (c) If frivolous objection has been raised, the first respondent shall proceed with the survey and measure and demarcate the property and in case, police protection is required, a request shall be made to the jurisdictional police, who shall provide necessary police protection; and



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(d)The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

No costs. Consequently, connected miscellaneous petition is closed.

19.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Tenkasi Taluk,
Tenkasi District.

2.The Taluk Surveyor,
Tenkasi Taluk,
Tenkasi District.



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P.T.ASHA, J.

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