



W.P(MD)No.6293 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6293 of 2013

PL.A.Subramanian

... Petitioner

Vs.

1.The Tahsildar,
Thiruverumbur Taluk,
Trichirappalli-13.

2.S.Palanisamy

3.S.Ravi

4.P.Ganesan @ Chellamuthu

5.P.Murugesan

6.P.Sankar

7.P.Sundaram

8.P.Arumugam

9.P.Shanmugam

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to survey the land of the petitioner in Survey No. 729/1A to an extent of 3.10 Acres and in Survey No. 729/1A to an extent of 3.10



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Acres and Survey No. 729/3 to an extent of 3.07 Acres totaling 9.27 Acres situated at Suriyoor Village, Thiruverumbur Taluk, Trichy District and to mark the boundaries of the petitioner's land with Survey Stone, within the time frame fixed by this Court.

For Petitioner : Mr.B.Saravanan

For R1 : Mr.K.S.Selva Ganesan
Additional Government Pleader

For R2 - R9 : Mr.M.Saravanan

ORDER

The present writ petition has been filed seeking a writ of Mandamus, directing the first respondent to survey the land of the petitioner in Survey No.729/1A for an extent of 3.10 Acres and in Survey No.729/1A for an extent of 3.10 Acres and in Survey No.729/3 to an extent of 3.07 Acres, totaling 9.27 Acres situated at Suriyoor Village, Thiruverumbur Taluk, Trichy District and to mark the boundaries of the petitioner's land with survey stone.

2. According to the learned counsel for the petitioner, the properties in dispute were originally owned by one Subbiah Rangipiriyar and Meenakshi Ammal and after several transactions, the properties have fallen into the hands of the writ petitioner by way of various registered sale deeds.



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3. However, the learned counsel appearing for the respondents 2 to 9 contended that the vendors of the writ petitioner do not have any title to the property and hence, any prayer for demarcating the said boundary lines and marking of boundaries with survey stone cannot be permitted, unless the writ petitioner establishes his title.

4. The learned counsel for the tenth respondent has also contended that he is also disputing the title of the writ petitioner and it seems that there is also an inter se title dispute between the respondents 2 to 9 and the impleaded tenth respondent. In view of the serious title dispute between the various parties in the writ petition, it would not be in the interest of justice to direct the first respondent to conduct a survey and demarcate the boundaries with survey stone.

5. In view of the above said facts, the petitioner is at liberty to approach the competent Civil Court to resolve the title dispute between the petitioner and the private respondents herein. On such resolution, the petitioner is at liberty to again approach the first respondent for demarcation of boundaries.



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WEB COPY 6. With the above said observations, this Writ Petition is disposed
of. No costs.

01.08.2022

Index : Yes / No
Internet : Yes / No

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To

The Tahsildar,
Thiruverumbur Taluk,
Trichirappalli-13.



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R.VIJAYAKUMAR ,J.

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Order made in
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