



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5127 of 2022

and W.M.P. (MD) .No.4173 of 2022

K.Raja

.. Petitioner

Vs

- 1.The Tahsildar,
Lalgudi Taluk Office,
Trichy District.
- 2.The Taluk Surveyor,
Lalgudi Taluk Office,
Trichy District.
- 3.The Inspector of Police,
Kallakudi Police Station,
Lalgudi Taluk,
Trichy District.
- 4.Senthamilselvan
- 5.Tamilselvi

.. Respondents

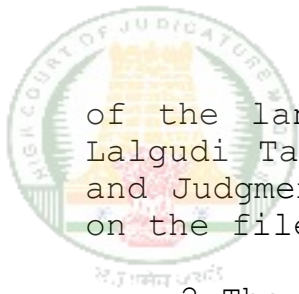
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd Respondent to survey measure and demarcate boundaries of the land comprised in S.No.645/3 at Punjai Sangenthi Village, Lalgudi Taluk, Trichy District based on Petitioners Patta No.453 and Judgment and Decree dated 06.03.2012 made in O.S.No.213 of 2000 on the file of District Munsif Court, Lalgudi, with necessary and proper protection by the 3rd Respondent within a time frame fixed by this Court.

For Petitioner : Mr.S.I.Muthiah

For Respondents : Mr.M.Lingadurai for R1 to R3
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to survey and demarcate the boundaries
<https://hcservices.ecourts.gov.in/hcservices/>



of the land comprised in S.No.645/3 at Punjai Sangenthi Village, Lalgudi Taluk, Trichy District, based on Petitioner's Patta No.453 and Judgment and Decree dated 06.03.2012 made in O.S.No.213 of 2000 on the file of District Munsif Court, Lalgudi.

2.The petitioner claims that he is the absolute owner of the aforementioned property. He has produced patta that stands in his name in patta No.453 and the Judgment and Decree passed in favour of the petitioner, in the suit in O.S.No.213 of 2000, filed by the respondents 4 and 5, on the file of the District Munsif Court, Lalgudi. He seeks the assistance of the respondents 1 and 2 to conduct survey and demarcate his boundaries based on the above said documents. He has given a representation on 08.03.2022, for the said purpose and he has also paid the necessary charges. Thereafter, he has also sent another representation, dated 12.03.2022, seeking police protection during the survey. Since his representations have not been considered till date, he has filed this writ petition.

3.Heard Mr.S.I.Muthiah, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, appearing for the respondents 1 to 3.

4.On instructions, the learned Special Government Pleader would submit that there are rival claimants for the very same property, who are adjacent land owners. He would further submit that unless and until they are given notice, survey and demarcation of the boundaries of the petitioner's property cannot be done. The said statement is recorded. He also submits that police assistance is also required for conducting the survey and demarcation of the boundaries. The said statement is also recorded.

5.No prejudice will be caused to any other parties, if the survey and demarcation of boundaries is carried out by the respondents 1 and 2 with the assistance of the police in the presence of the petitioner as well as the respondents 4 and 5 and other rival claimants, whom, the respondents 1 and 2 deem fit to give notice.

6.Accordingly, the respondents 1 and 2 are directed to conduct survey and demarcate the boundaries of the petitioner's properties comprised in S.No.645/3 at Punjai Sangenthi Village, Lalgudi Taluk, Trichy District, in the presence of the petitioner and other adjoining land owners, whom the respondents 1 and 2 deem fit to give notice, within a period of eight weeks from the date of receipt of a copy of this order. The respondents 1 and 2 are also permitted to seek police assistance from the third respondent, if they deem it necessary.



7. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Tahsildar,
Lalgudi Taluk Office,
Trichy District.
2. The Taluk Surveyor,
Lalgudi Taluk Office,
Trichy District.
3. The Inspector of Police,
Kallakudi Police Station,
Lalgudi Taluk,
Trichy District.

+1 CC to M/s.SPL GP (SR-14513[F] dated 25/03/2022)

+1 CC to M/s.S.I.MUTHIAH, Advocate (SR-14855[F] dated 28/03/2022)

W.P. (MD)No.5127 of 2022
24.03.2022

SRR(CO)
TR(28.03.2022) 3P 6C