



W.P.(MD)No.5271 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2024

CORAM

**THE HONOURABLE MRS.JUSTICE N.MALA**

**W.P.(MD)No.5271 of 2023**

M.Pandiyarajan

... Petitioner

Vs.

1.The Tahsildhar,  
Taluk Office,  
Thirupuvanam Taluk,  
Sivagangai District.

2.The Taluk Surveyor,  
Taluk Office,  
Thirupuvanam Taluk,  
Sivagangai District.

3.R.Veerammal

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to conduct survey and demarcate the boundaries in respect to the property in S.No.3/1, Semboor Village, Enathi Group Village, Thirupuvanam Taluk, Sivagangai District by considering the petitioner's application, dated 17.02.2023 within time frame fixed by this Court.



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For Petitioner : Mr.J.Senthil Kumaraiah

For R1 & R2 : Mr.M.Muthumanikkam  
Government Advocate

For R3 : No Appearance

### **ORDER**

The writ petition has been filed for a direction to the respondents 1 and 2 to conduct survey and demarcate the boundaries in respect to the property in S.No.3/1, Semboor Village, Enathi Group Village, Thirupuvanam Taluk, Sivagangai District by considering the petitioner's application, dated 17.02.2023.

2. The petitioner's father was assigned lands in S.No.3/1, Semboor Village, Enathi Group Village, Thirupuvanam Taluk, Sivagangai District, measuring an extent of about 18 ares by the Thasildar on 06.11.2000. In pursuance of the assignment, the petitioner's father was issued patta in Patta No.132. According to the petitioner, from the date of assignment, the petitioner's father was in peaceful possession and enjoyment of the property and after the petitioner's father's demise on 15.06.2021, the petitioner continued to be in possession and enjoyment of the property. While so, the third respondent



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who was in no way connected to the petitioner's family tried to encroach the petitioner's property. In order to safeguard the petitioner's property, the petitioner on 12.10.2022, submitted an application to the first respondent to survey and demarcate the boundaries of his property. As no action was taken, the petitioner again filed fresh application on 17.02.2023 for survey and demarcation of the boundaries of his land and also paid the requisite fee for the same. As even thereafter, no action was taken, the petitioner filed the writ petition for the aforesaid relief.

3. The learned Government Advocate for the respondents 1 and 2, on instructions from the Thasildar, submitted that there was overlapping of survey numbers between two villages, namely, Sembur and Enathi and therefore, the Government would conduct survey of the entire village including the petitioner's property, determine the exact extent of the lands therein and make necessary corrections in the revenue records. The learned Additional Government Pleader submitted that in the light of the above instructions, survey as prayed for by the petitioner cannot be conducted for the present.

4. In view of the fact that the survey of the entire village including the petitioner's land is to be conducted by the Government, the writ petition stands



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disposed of with liberty to the petitioner to approach this Court on completion

of survey, if he is aggrieved. No costs.

**04.12.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
SN

**To:**

- 1.The Tahsildhar,  
Taluk Office,  
Thirupuvanam Taluk,  
Sivagangai District.
- 2.The Taluk Surveyor,  
Taluk Office,  
Thirupuvanam Taluk,  
Sivagangai District.



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**N.MALA, J.**

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