



W.P.(MD) No.22150 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22150 of 2024

A.Tamilmaran

.. Petitioner

Vs.

1.The Tahsildar,
Lalgudi Taluk Office,
Lalgudi, Trichy District.

2.The Head Surveyor,
Lalgudi Taluk Office,
Lalgudi, Trichy District.

3.The Inspector of Police,
Samayapuram Police Station,
Samayapuram, Trichy District.

4.Thangapalam

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, direct the respondents No.1 and 2 to survey the petitioner's property comprised in Survey No.116/1C total extent of 1 Acre 7 ½ cents situated at Maruthur Revenue Village, Lalgudi Taluk, Trichy District based on his representation, dated 02.08.2024 and consequently direct the 3rd respondent to provide adequate police protection during conduct the survey.



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For Petitioner : Mr.K.Arunraj
For R1 & R2 : Mr.D.S.Nedunchezian
Government Advocate
For R3 : Mr.K.Sanjai Gandhi
Government Advocate

ORDER

The present writ petition has been filed for a mandamus to the respondents 1 and 2 to survey the petitioner's property comprised in Survey No.116/1C measuring an extent of 1 Acre 7 ½ cents situated at Maruthur Revenue Village, Lalgudi Taluk, Trichy District based on his representation, dated 02.08.2024 and consequently direct the 3rd respondent to provide adequate police protection during the survey.

2. The petitioner and his younger brother have purchased the petition mentioned property from one Saraswathy w/o late.Dharmaraj on 28.08.2023. Since then, they have been in possession and enjoyment of the property. In order to know the exact boundaries of the property, the petitioner had paid necessary fee for surveying and demarcating the said property and also sent a representation on 02.09.2024 in this regard.



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Having received the same, the respondents have not taken any steps for conducting survey. Therefore, the petitioner is before this Court.

3. It is informed by the learned Government Advocate that that the officials are unable to survey the property of the petitioner since there are overgrown bushes in the property in question as well as objections to the survey.

4. Considering the request of the petitioner, a Mandamus is issued to the respondents to conduct survey and mark the boundaries in the petition mentioned property. The petitioner shall first clear the overgrown shrubs in the said land. If there is any law and order problem, the revenue officials shall seek police protection. In such circumstances, the 3rd respondent is directed to provide police protection to the revenue officials for conducting survey and demarcation. The petitioner shall submit all the relevant records to show her title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter proceed to pass orders



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and issue patta as per survey. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs.

18.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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To

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

P.T.ASHA, J.



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