



W.P.(MD) No.24908 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24908 of 2024

R.Subbaiyan

.. Petitioner

Vs.

1.The Tahsildar,
Kalligudi Taluk,
Madurai District.

2.The Head Surveyor,
Kalligudi Taluk,
Madurai District.

3.The Inspector of Police,
Kalligudi Police Station,
Madurai.

4.S.Srithar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to consider petitioner's representation, dated 23.05.2024 and Survey the land and earmark the four boundaries in Survey No.90/2B and 92/5B property situate at Odaipatti Village, Kalligudi Taluk, Madurai



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District and consequently direct the 3rd respondent to provide police protection at the time of survey the land and take action accordance with law within the stipulated time period.

For Petitioner : Mr.G.Sakthi Rao
For R1 & R2 : Mr.D.S.Nedunchezian
Government Advocate
For R3 : Mr.K.Gnanasekaran
Government Advocate(Crl.Side)

ORDER

The present writ petition has been filed for a mandamus to the respondents 1 and 2 to survey and demarcate four boundaries of his property in Survey Nos.90/2B and 92/5B property situate at Odaipatti Village, Kalligudi Taluk, Madurai District and for police protection to the revenue officials for surveying the land.

2. It is the contention of the petitioner that the 4th respondent is attempting to obstruct the survey on the ground that there was a suit in O.S.No.109 of 2021 pending on the file of the Principal District Munsif, Thirumangalam. However, the petitioner herein is not a party to the



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above suit. The said suit is between one Sreeramchander, Viswanathan and the the 4th respondent herein who has been arrayed as the 1st defendant therein. The property in question is not same as the property in this writ petition.

3. Be that as it may, considering the fact that the petitioner is not a party to the said suit and he seeks to have his property surveyed and demarcated on the basis of his purchase in his favour, a Mandamus is issued to the respondents 1 and 2 to conduct survey and mark the boundaries in the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties including the 4th respondent, hold an enquiry and thereafter proceed to pass orders either surveying and demarcating the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



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

23.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

- 1.The Tahsildar,
Kalligudi Taluk,
Madurai District.
- 2.The Head Surveyor,
Kalligudi Taluk,
Madurai District.
- 3.The Inspector of Police,
Kalligudi Police Station,
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P.T.ASHA, J.

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