



W.P.(MD) No.26311 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.26311 of 2024

Murugan

.. Petitioner

Vs.

1.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

2.The Taluk Surveyor,
Sankarankovil Taluk,
Tenkasi District.

3.The Inspector of Police,
Panavadalichatram Police Station,
Tenkasi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to survey and demarcate the property in Survey No.1518/3 measuring 0.09.5 hectare and Survey No.1518/4 measuring 0.11.0 hectare situated in Keezhaneelithanallur Village, Sankarankovil Taluk, Tenkasi District, with the aid of the 3rd respondent, within the time frame fixed by this Court.



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For Petitioner : Mr.R.J.Karthick
For R1 & R2 : Mr.P.Thambidurai
Government Advocate
For R3 : Mr.K.Gnanasekaran
Government Advocate(Crl.Side)

ORDER

This writ petition is filed for a mandamus to direct the respondents 1 and 2 to survey and demarcate the property in Survey No.1518/3 measuring 0.09.5 hectare and Survey No.1518/4 measuring 0.11.0 hectare situated in Keezhaneelithanallur Village, Sankarankovil Taluk, Tenkasi District, with the aid of the 3rd respondent.

2. It is seen that there is a suit in O.S.No.272 of 2015 for declaration and injunction filed by the petitioner and two others against one Marimuthu and Chellammal who are not made parties in this writ petition. An ex parte decree has been passed against the said Marimuthu and Chellammal. This writ petition is filed to survey and demarcate the property described comprised in Survey No.1518/3 measuring an extent



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of 0.09.5 hectare and Survey No.1518/4 measuring an extent of 0.11.0 hectare in Keezhaneelithanallur Village, Sankarankovil Taluk, Tenkasi District. The suit which has been referred to, has been filed only with reference to Survey No.1518/3 and does not cover the property in Survey No.1518/4.

3. In view of the above, this Court passes the following order:

(i) Notice shall be issued to Marimuthu and Chellammal before the survey is conducted and their objection shall be heard and thereafter, orders shall be passed.

(ii) If there are genuine objections, survey shall not be proceeded with and party shall be relegated to the Civil Court. If the objections are not reasonable or valid, the survey shall be proceeded with.

(iii) The said exercise shall be completed within a period of two (2) months from the date of receipt of copy of this order.



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

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NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

- 1.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.
- 2.The Taluk Surveyor,
Sankarankovil Taluk,
Tenkasi District.
- 3.The Inspector of Police,
Panavadalichatram Police Station,
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P.T.ASHA, J.

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