



WEB COPY



W.P.No.156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.156 of 2025

Dhandapani

... Petitioner

Vs

1. The Inspector of Police,
Dhalli Police Station,
Tirupur District.
2. The Tahdilar,
Office of the Tahsildar,
Udumalaipettai,
Tirupur District.
3. The Head Surveyor,
Office of the Tahsildar,
Udumalaipettai,
Tirupur District.
4. R.Vallimmall
5. R.Rajkumar
6. R.Pannerselvam
7. R.Muthumanickam
8. R.Soundararajan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second and third respondent authority to conduct survey with help of first respondent in the light of the



W.P.No.156 of 2025

order passed in S.A.No.267 of 2005 vide order dated 11.03.2020 by considering the petitioner's representation dated 18.10.2024 with in time frame may be fixed by this Court.

For Petitioner : Mr.A.Arokia Satheesh

For R1 to R3 : Mr.A.Selvendran
Special Government Pleader

ORDER

The writ petition is filed to direct the second and third respondent authority to conduct survey with the help of first respondent in the light of the order passed in S.A.No.267 of 2005 dated 11.03.2020 by considering the petitioner's representation dated 18.10.2024.

2. In view of the innocuous relief that is prayed for, the writ petition is disposed of at the admission stage itself without giving notice to the private respondents.

3. The grievance of the petitioner is that while disposing of the earlier Second Appeal No. 267 of 2005 by its judgement dated 11.03.2020, this Court has already directed the Government to engage a surveyor to fix the boundaries of the survey field Nos. 592/10 and 592/11. The relevant



W.P.No.156 of 2025

paragraph No.10 of the said judgement is extracted hereunder for ready

reference:-

“10. Based on the facts now available before this Court, this Court now has to suitably mould the relief and restrain both the sides from interfering with the property allotted to each of them, by the Government. The Government is also directed to engage a surveyor to fix the boundaries of the survey field No. 592/10 and 592/11. Parties are further directed to restrict their actual possession and enjoyment within the boundaries, stipulated as between them. If either the plaintiff or the defendants 3 and 4 are found to be in excess encroachment of any of the portion of properties assigned to other parties, they have to vacate and restore possession in terms of their respective patta. If any of the parties are found encroaching into any other adjacent lands, it is clarified the same is outside the purview of the present directions.”

4. In view thereof, the said exercise shall be carried out by the appropriate authority/second respondent and the third respondent in accordance with law. Needless to mention that notices shall also be issued to the private respondents herein and the issue shall be decided and survey can be conducted in the manner known to law. Further, the first respondent is directed to provide such protection in order to carry out the direction issued by this Court in S.A.No. 267 of 2005 by its judgement dated 11.03.2020. The said exercise shall be completed within a period of six weeks from the date of



W.P.No.156 of 2025

receipt/production of the website-uploaded copy of this order, without waiting
for the certified copy of the order.

5. With the above directions, this writ petition is disposed of. No costs.

08.01.2025

Neutral Citation: Yes/No
nsl

D.BHARATHA CHAKRAVARTHY, J.



WEB COPY



W.P.No.156 of 2025

nsi

To

1. The Inspector of Police,
Dhalli Police Station,
Tirupur District.
2. The Tahdilar,
Office of the Tahsildar,
Udumalaipettai,
Tirupur District.
3. The Head Surveyor,
Office of the Tahsildar,
Udumalaipettai,
Tirupur District.

W.P.No.156 of 2025

08.01.2025