



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 41729 of 2025

1. PALANISAMY

S/o.Ramasamy Gounder, 37,
V.Alambalayam, Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

Petitioner(s)

Vs

1. The Tashildar,
Dharapuram Taluk, Tiruppur
District.

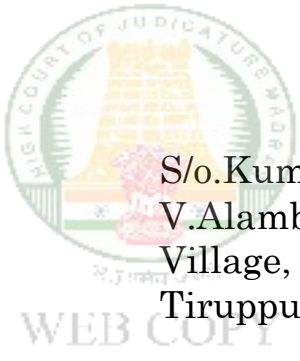
2.The Taluk Surveyor,
Dharapuram Taluk, Tiruppur
District.

3.The Firka Surveyor,
Sankarandampalayam Tiruppur
District.

4.The Village Administrative
Officer,
Kannankovil Village,
Dharapuram Taluk, Tiruppur
District.

5.The Inspector Police,
Kundadam Police Station,
Tiruppur District.

6.Sundarasamy,



S/o.Kumarasamy Gounder,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

7.Valliammal,
W/o.Lte Kumarasamy,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

8.LAKSHMI
W/o.Late Marimuthu,
Selampalayam Village,
Dharapuram Taluk, Tiruppur
District.

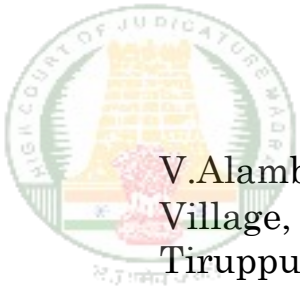
9.SIVAKUMARI
W/o.Sundarasamy,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

10.SENTHILKUMAR
S/o.Late Govindasamy,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

11.SUBBATHAL
W/o.Late Aruchamy,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

12.GANESH
S/o.Late Aruchamy,
V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

13.BANUMATHI
D/o.Late Aruchamy,



V.Alambalayam Kannankovil
Village, Dharapuram Taluk,
Tiruppur District.

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Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records relating to the order dated NIL passed by the 3rd respondent, quash the same and consequently direct the respondents 1 to 4 to survey the petitioner's lands measuring 0.07 1/2 acres in R.S.No.249/8 and the land measuring 0.09 1/2 acres in RS No.272/2 in Kannankovil village of Dharapuram Taluk in Tiruppur District with the help of 5th respondent police by considering the petitioner's applications dated 23.07.2025 and 28.07.2025 and pass orders.

For Petitioner(s): Mr.N Ponraj
For Mr.N.Naveen Kumar
Respondent(s): Government Advocate for
R1 to R4
Mr.L.Bakaran
Government Advocate[Crl
side] for R5

ORDER

This writ petition has been filed challenging the proceedings of the 3rd respondent refusing to survey the subject property based on the objections made by the private respondents and for a consequential direction to the respondents 1 to 4 to survey the subject property and to demarcate the boundaries.



2. Heard Mr.N Ponraj, learned counsel for the petitioner and Mr.N.Naveen Kumar, learned Government Advocate for respondents 1 to 4 and Mr.L.Bakaran, learned Government Advocate[CrI side] for 5th respondent.

3. The petitioner claims to be the owner of the subject property by virtue of a Lok Adalat award passed on 25.06.2019 in OS No.153 of 2019 on the file of the District Munsif Court, Dharapuram. Since the father of the 10th respondent and other private respondents attempted to interfere with the possession and enjoyment of the subject property, a suit was filed in OS No.135 of 2020 seeking for the relief of declaration and permanent injunction. A judgement and decree dated 07.12.2022 came to be passed in favour of the petitioner.

4. The petitioner submitted an on-line applications on 23.07.2025 and 28.07.2025 seeking for the survey of the subject property and for demarcation of boundaries.

5. The grievance of the petitioner is that the 3rd respondent has rejected the application on the ground that certain objections



were raised by the private respondents.

6. In the considered view of this Court, the petitioner is claiming right and title over the property by virtue of the Lok Adalat award and also the decree that was passed in OS No.135 of 2020. Therefore, unless and otherwise, the respondents have obtained any restraint order against the petitioner or have challenged the judgement and decree passed in OS No.135 of 2020 dated 07.12.2022, they cannot physically prevent the surveyor from surveying the property.

7. In view of the above, there shall be a direction to the respondents 1 to 3 to act upon the application submitted by the petitioner and conduct the survey in the subject property based on the Lok Adalat award and the Civil Court decree and demarcate the boundaries. Since the private respondents are causing obstruction, it may lead to some law and order problem and hence, they can seek for police aid from the 5th respondent. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order.



8. This writ petition is disposed of with the above directions.

No costs.

10-11-2025

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Index:Yes/No

Speaking/Non-speaking order

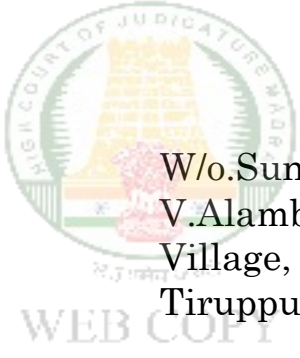
Internet:Yes

Neutral Citation:Yes/No



To

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District.
- 2.The Taluk Surveyor,
Dharapuram Taluk, Tiruppur
District.
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