



W.P.(MD)No.2737 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.2737 of 2025
and WMP(MD)No.1909 of 2025

A.Karuppaiah

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukottai

2. The Tahsildar,
Alangudi Taluk,
Pudukottai District

3. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District

4. C.Karuppaiah

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1 and 2 respondents to consider the petitioner's lawful objections and obey the Honble Court directions of the order in WP(MD) 25796/2024 dated 28.10.2024 regarding with the survey and demarcate the property survey No. 47/6 (Old Survey no. 47/5) situated in Veppankudi Village, Alangudi Taluk, Pudukottai District.

For Petitioner : Mr.M.Manivel Pandian

For R1 & R2 : Mr.M.Muthumanikkam
Government Advocate

For R3 : Mr.K.Gnanasekaran
Government Advocate(Crl.side)



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ORDER

The writ petition is filed for a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's lawful objections and obey the directions issued by this Court in WP(MD)No.25796/2024 by order dated 28.10.2024 with regard to the survey and demarcation of the property in Survey No. 47/6 (Old Survey No. 47/5) in Veppankudi Village, Alangudi Taluk, Pudukottai District.

2. With consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's brother purchased the subject property on behalf of the petitioner in S.No.47/5, to an extent of 38 cents, under a sale deed dated 22.06.2005. Subsequently, the petitioner's wife obtained a power of attorney for the aforesaid land from the petitioner's brother and executed a sale deed in favour of the petitioner on 31.07.2015. Ever since the purchase, the petitioner and his family were in possession and enjoyment without any disturbance. While so, the fourth respondent approached this Court in WP(MD)No.25796 of 2024 and vide order dated 28.10.2024, this Court directed the revenue authorities to survey and demarcate the subject property. On coming to know the same, the petitioner submitted an objection to the second respondent on



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24.12.2024. Subsequently, an enquiry notice was received by the petitioner and the petitioner appeared for enquiry on 07.01.2025. While so, the fourth respondent was trying to grab the property with the support of police and rowdy elements, and so the petitioner filed a suit in O.S.No.7 of 2015 and the same is pending. As the respondents 1 and 2 did not consider the petitioner's lawful objections, the petitioner has filed the above writ petition for the aforesaid relief.

4. It is seen that the fourth respondent approached this Court in WP(MD)No.25796 of 2024 for a mandamus directing the second respondent to take measurement of the four boundaries of the land in S.No.47/6 (old S.No. 47/5) to an extent of 1 acre 41 cents, Veppankudi Village, Alangudi Taluk, Pudukottai District by considering the online application dated 11.09.2024 and his representation dated 15.10.2024. This Court by order dated 28.10.2024 passed the following order:

"Considering the request of the petitioner and also the fact that the petitioner had made his representation in September 2024, a Mandamus is issued to the respondents 1 to 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 1 and 2 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry



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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."

5. The learned Additional Government Pleader submits that notice of enquiry fixing the date of hearing as 28.01.2025 was issued but the petitioner did not appear stating that he had moved the above writ petition.

6. As per the aforesaid order passed by this Court on 28.10.2024, the respondents are bound to consider the objections of the petitioner and conduct an enquiry and thereafter pass orders either surveying and demarcating the property or rejecting the request. It is made clear that the petitioner shall co-operate in the enquiry. In any event, enquiry shall be completed within a period of four weeks from the date of receipt of a copy of this order and appropriate orders shall be passed on merits and in accordance with law.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

31.01.2025

NCC:yes/no
Index:yes/no



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Internet:yes/no
CM

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To:

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Pudukottai District,
Pudukottai
2. The Tahsildar,
Alangudi Taluk,
Pudukottai District
3. The Inspector of Police,
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N.MALA, J.

CM

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