



W.P.(MD)No.3216 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3216 of 2025

N.Revathi

... Petitioner

Vs

1. The Tahsildar,
Pattukkottai Taluk,
Thanjavur District.

2. The Zonal Taluk Surveyor,
Pattukkottai Taluk,
Thanjavur District.

3. The Sub Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 & 2 to measure the petitioner's land and fix the four boundaries in S.F.No. 320/4B to an extent of 0-24.50 (Maa) Ares and S.F.No. 323/1B2 to an extent of 0-20.50 Ares situated at Thiruchitrambalam East Village, Pattukkottai Taluk, Thanjavur District and the 3rd respondent give police



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protection at the time of measurement, based on the petitioners application, dated 06.11.2024.

For Petitioner : Mr.C.Bharathi,

For Respondents : Mr.C.Satheesh (R1,R2)
Government Advocate

Mr.K.Gnanasekaran, (R3)
Government Advocate (Crl.Side)

Ms.Jasmine for M. Basmeeakaran

ORDER

I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials placed before this Court.

2.The petitioner seeks to survey his lands. The petitioner has already made an application on 06.11.2024 and remitted the requisite fee. On 18.12.2024, the survey officials also visited the property. However, in view of the objection of one Basmeeakaran, the survey officials were not able to conduct survey for want of adequate police protection. Therefore, the survey was postponed.



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3.It is the grievance of the petitioner that despite the application of the petitioner pending with the official respondents to survey the land, the survey has not been taken thereafter.

4.The learned Government Advocates submitted that the objection of one Basmeekaran was the only reason for the survey not being conducted.

5.The learned counsel appearing on behalf of said Basmeekaran would submit that he has sold the property to the petitioner and the sale deed was executed under coercion and duress.

6.The learned counsel for the said third party, admits that the sale has not been challenged before a competent civil Court as on date. The survey officials have satisfied themselves about title of the petitioner and the factum of physical possession being with the petitioner. While that being the position, absolutely, there is no legal impediment for the survey to be conducted, on the application of the petitioner.



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7. In the light of the above, the respondents 1 and 2 shall conduct the survey of the petitioner's lands as requested in the application of the petitioner, dated 06.11.2024, within a period of six weeks from the date of receipt of copy of this order. The 3rd respondent police officials shall offer adequate police protection at the time of survey to prevent any breach of peace. It is made clear that if at all the said Basmeeakaran, who is aggrieved or intends to challenge the sale deed executed by him in favour of the petitioner, this order or even the survey to be conducted shall not be an impediment to the said Basmeeakaran to redress his grievance before a competent civil Court.

7. With the above directions, this writ petition stands disposed of. No costs.

10.02.2025

Index : Yes / No
NCC : Yes / No
PNM



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P.B. BALAJI, J.

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