



W.P.(MD)No.3490 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3490 of 2025

A.K.Soundarapandian

.... Petitioner

/Vs./

- 1.The Tahsildar,
Thirupparankundram Taluk,
Thanakkankulam,
Madurai-625 006.
- 2.The Taluk Head Surveyor,
Thirupparankundam Taluk,
Thanakkankulam,
Madurai-625 006.
- 3.The Village Administrative Officer,
Thanakkankulam Village,
Madurai-625 006.
- 4.Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 3 to conduct



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survey of the petitioner's lands are situated at Madurai District, Thirupparankundram Taluk, Thanakkankulam Village in Survey No. 154/C142 and Re-Survey No.154/206, 154/207 and 154/207 with the police protection of the fourth respondent herein and demarcate the same by laying stones by considering the petitioner's petition dated 12.11.2024.

For Petitioner	: Mr.A.Jeyaram
For R1 to R3	: Mr.B.Saravanan Additional Government Pleader
For R4	: Mr.Vaikkam Karunanithi Government Advocate (Crl.side) : Mr.Michael Sebastian for one Palpandi

ORDER

The writ petitioner has seeks issuance of writ of mandamus to direct the respondents 1 and 3 to conduct survey his lands comprised in Survey No.154/C142 and Re-Survey No.154/206, 154/207 and 154/207 with the help of the police authorities and to demarcate the same by laying stones.

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



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3. I have heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner has made an application on 12.11.2024 for survey. The petitioner has already been issued patta by the revenue authorities for the subject land and the petitioner intends to carry out the survey to prevent trespass by strangers.

5. It is the case of the petitioner that the said application for survey is pending from 12.11.2024 without any further action being taken there on.

6. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the authorities have already fixed the Survey to be conducted on 15.02.2025 and same may be recorded and the writ petition may be disposed of.



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7. In the mean time, Mr.Michael Sebastian, learned counsel intervenes in the present proceedings and submits that he represents one Palpandi, who had already objected to the revenue authorities, by giving representation claiming that the petitioner has encroached on to a public pathway which is being used by the local public including the said Palpandi.

8. The survey is going to be conducted by the competent authorities based on the available documentary evidence furnished by the parties. If at all the said Palpandi has any document to support his claim that the portion of the subject lands are classified as public pathway, it is always open to the Palpandi to give such objections in writing to the surveyor at the time of the survey being conducted. The second respondent shall taken into account the objections, if any, of the said Palpandi and after considering the documentary evidence produced by the petitioner, shall proceed to survey and demarcate the boundaries, pass final orders.



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9. It is made clear that the surveyor shall take the assistance of the police authorities at the time of survey to prevent the breach of peace.

10. The writ petition is disposed of recording the statement of the learned Additional Government Pleader that the survey is proposed to be conducted on 15.02.2025 and that final order would be passed soon thereafter. No costs.

Index : Yes / No
NCC : Yes / No
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TO:-

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- 2.The Taluk Head Surveyor,
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Thanakkankulam Village,
Madurai-625 006.

4. Inspector of Police,
Thirunagar Police Station,
Thirunagar,
Madurai District.

P.B. BALAJI, J.

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Order made in
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