



W.P.(MD) No.3904 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3904 of 2025

Saehu Majidha

... Petitioner

Vs.

- 1.The Tahsildar,
Land Surveyor Office,
Mudhukulathur Taluk,
Ramanathapuram District.
- 2.The Superintendent of Police,
O/o., The Superintendent of Police,
Ramanathapuram District.
- 3.The Inspector of Police,
Mudhukulathur Police Station,
Mudhukulathur Taluk,
Ramanathapuram District.
- 4.The Sub Inspector of Police,
Theriruveli Police Station,
Theriruvelui Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to conduct survey



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and measurement in respect of the land in Survey No.200/14B in Anikurundhan Village, Mudhukulathur Taluk, Ramanathapuram District and also direct the respondents 2 to 4 to provide appropriate police protection to survey the land and to issue survey report to the petitioner within a time frame by this Court.

For Petitioner : Mr.K.Navaneetharaja
For R1 : Mr.S.Kameswaran
Government Advocate
For R2 to R4 : Mr.S.Prakash
Government Advocate (crl.side)

ORDER

The writ petitioner seeks issuance of writ of mandamus to dispose of his application for survey of his lands in Survey No.200/14B of Muthukulathur Taluk, Ramanathapuram District, in the presence of the police authorities and to issue survey report to the petitioner.

2. Considering the limited scope of relief sought for in the writ petition, with the consent of the learned counsel on either side, this writ petition is taken up for final disposal.



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3. The petitioner has made an application seeking for survey and fixing boundaries of his property on 03.10.2022 and thereafter, a second application was made on 29.04.2024 and it was followed up with representation dated 02.07.2024. Since the survey has not been conducted, the petitioner now seeks for issuance of a writ of mandamus.

4. The learned Government Advocate would submit that patta is joint patta, which is evident from the patta filed along with typed set of papers in patta No. 3237 and therefore, he would submit that unless the co-pattadhars give consent for petitioner's survey, the authorities would not be in a position to carry out the survey exercise and fix boundaries.

5. Considering the above, this Writ Petition is disposed of in the following manner:-

(i) The petitioner shall get No Objection Certificate from the co-Pattadhars in whose names also patta No.3237 was mutated along with the petitioner. On production of such No Objection Certificate /consent from the co-pattadars, the first respondent shall conduct survey and fix boundaries and also issue a survey



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report to the petitioner. In the event of the Tashildhar apprehending any breach of peace at the time of survey, he shall approach the jurisdictional police station and the respondents 2 to 4 shall provide adequate police protection as may be necessary. The said exercise shall be carried out within a period of eight(8) weeks from the date of receipt of the copy of the order.

No costs.

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Rmk

NCC: Yes/No

Index : Yes / No

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P.B.BALAJI, J.

Rmk

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