



W.P.(MD)No.4755 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.4755 of 2025

S.Lakshmanan

: Petitioner

Vs.

1.The Tahsildar,
Madurai East Taluk Office,
Madurai District.

2.The Surveyor,
Madurai East Taluk Office,
Madurai District.

3.R.Sakthivel

: Respondents

[R3 is impleaded vide order of this Court dated 07.03.2025]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to survey the lands in Survey No.29/1 and 29/2 situated at Thirumohoor Village, Madurai East, Madurai District to an extent of 0.6.00 hectares and fix the four boundaries on the basis of my survey application dated 04.12.2024.



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For Petitioner : Mr.V.Manikandan
For Respondents 1 to 3 : Mr.S.Kameswaran
Government Advocate
For Respondent No.3 : Mr.D.Saravanan

ORDER

In view of the objections raised by the newly impleaded respondent, specifically contending that the subject lands of which survey is sought for are under the possession of the newly impleaded third respondent, this Writ Petition is disposed of, in the following manner:

“The first respondent shall conduct an enquiry after giving advance enquiry notice to the petitioner as well as third respondent. The petitioner and third respondent shall furnish all relevant documents in support of their claim for possession of the subject property. The first respondent shall first decide the entitlement of the petitioner for survey based on the objections of the third respondent. In the event of the first respondent finding that the third respondent's claim has to be upheld, then, survey need not be conducted and the parties can be relegated to the Civil Court. However, in the event of first



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respondent being satisfied that the objections raised by the third respondents are not germane, then the first respondent shall act on the representation of the petitioner dated 04.12.2024. It is made clear that without the enquiry being conducted, the first respondent or second respondent shall not conduct any survey.”

2. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

07.03.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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P.B.BALAJI., J.

MR

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