



W.P.(MD)No.5440 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2025

CORAM:

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

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N.Kamalam

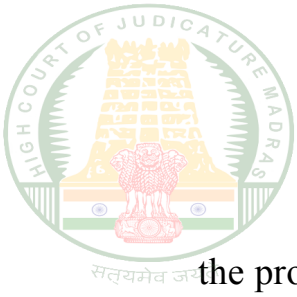
... Petitioner

Vs.

1. The District Collector,
Trichy District,
Trichy.
2. The Tahsildar,
Manachanallur Taluk,
Trichy District.
3. The Surveyor,
Manachanallur Taluk,
Trichy District.
4. Mariyappan
5. Kannan
6. Mariyappan
7. Anand

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 3 to carry out survey , measurement and demarcation of boundaries of



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the property measuring to an extent of 586 ½ sq feet comprised in S.F.No. 605/21 at Thiruppainjeeli North Village, Manachanallur Taluk, Trichy District by considering the petitioner's application dated 29.03.2023 and subsequent representation dated 19.12.2024.

For Petitioner :

For Respondents : Mrs.K.Malathi
Additional Government Pleader

ORDER

Mrs.K.Malathi, learned Additional Government Pleader takes notice on behalf of the respondents.

2. The petitioner seeks issuance of writ of mandamus to direct the respondents 1 to 3 to survey, measure and demarcate the petitioner's property.

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



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4. The petitioner's grievance is that subsequent to purchase made by valid registered sale deed and mutation of patta in the petitioner's name, the petitioner has made an application for survey before the 1st respondent on 29.03.2023 and the same has not been done.

5. Though the officials attempted to conduct the survey in October 2024, in view of the objections raised by the respondents 4 to 7, survey could not be conducted. The petitioner has also approached the police authority on 19.11.2024, seeking police protection. Despite the said request made and repeated attempts made by the survey authorities to conduct survey, the respondents 4 to 7 are causing obstructions. Hence, the petitioner has preferred the present writ petition.

6. Considering the fact that the petitioner has claimed survey based on the registered sale deed and also mutation of patta in his name and the survey officials are also ready to conduct the survey and the survey is not being made possible only because of the obstructions of the private respondents, the writ petition is allowed in the following manner:-



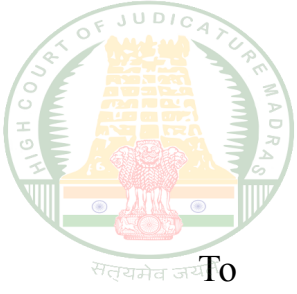
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- i. The 2nd respondent, shall fix the date for survey and shall give an advance notice to the jurisdictional police station seeking police protection. On receipt of such notice, the jurisdictional police officials shall ensure adequate police protection is available for the respondents 2 and 3 to carryout the survey in a peaceful manner.
- ii. In view of the objections raised by the respondents 4 to 7, the survey shall be conducted on the proposed date, in the presence of the jurisdictional police officials, after considering the objections, if any, of the respondents 4 to 7. The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.
- iii. The writ petition is disposed of with the above observations and directions. No cost.

28.02.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

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1. The District Collector,
Pudukkottai District,
Pudukkottai
2. The Revenue Divisional Officer,
Illupur,
Pudukkottai District.
3. The Tahsildar,
Illupur Taluk,
Pudukkottai District.



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