



W.P.(MD)No.6155 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.6155 of 2025

Kannan

.... Petitioner

/Vs./

1.The Tahsildar,
Office of Tahsildar,
Vilathikulam.

2.The Head Surveyor,
Office of Tahsildar,
Vilathikulam.

3.The Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

4.The Sub Inspector of Police,
Pudur Police Station,
Pudur, Thoothukudi District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to survey the petitioner's property in New Survey No.396/18 (Old Survey No.256/2) to an extent of 1.90 cents situated at Pudhur Village, Ward No.



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6, Veerapandiyakattaboman second street, Vilathikulam Taluk, Thoothukudi District with adequate police protection within a time frame that may be stipulated by this Court.

For Petitioner : Mr.M.Alaudheen
For R1 & R2 : Mr.M.Lingadurai
Special Government Pleader
For R3 & R4 : Mr.S.Prakash
Government Advocate (Crl.side)

ORDER

With the consent of the counsel on either side, the writ petition is taken up for final disposal at the admission stage.

2. I have heard the learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 & 2 and Mr.S.Prakash, learned Government Advocate(Crl.side) appearing for the respondents 3 & 4.

3. The petitioner seeks survey to be conducted based on his application dated 21.02.2025.



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4.The specific contention of the petitioner is that the neighbouring owner one Mr.Varadarajan is causing disturbance and obstructing any survey being conducted. The petitioner has also given a representation on 22.02.2025 seeks disposal of the said representation.

5. The learned Government Advocate (Crl.side) appearing for the respondents 3 & 4 would submit that the petitioner has already lodged a police complaint against one Varadarajan and the same is pending in CSR.

6. Considering the above and the fact that the petitioner claims survey based on the registered sale deed in his name and also patta mutated in his favour, there can be no impediment for survey being conducted.

7. In view of the above, the writ petition is allowed with a direction to the respondents 1 & 2 to conduct a survey based on the petitioner's application dated 21.02.2025, in the presence of the police officials, the respondents 3 & 4, who shall ensure sufficient police force



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to be present at the time of survey to prevent any breach of peace. The survey shall be conducted in the presence of the obstructing neighbour Varadarajan, after considering his objections, if any. The said exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

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