



W.P.(MD)No.7207 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7207 of 2025

Sivagami

... Petitioner

Vs.

1.The Tahsildar,
Rathapuram Taluk,
Tirunelveli District.

2.The Taluk Surveyor,
Rathapuram Taluk,
Tirunelveli District.

3.The Sub-Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 2 to conduct survey as per Tamil Nadu Survey and boundaries Act, 1923 and to fix boundaries in respect of lands comprised the land in survey No.1732/3A, 1732/3C measuring 2 acres and 40 cents and situated at panagudi Village Radhapuram Taluk, Tirunelveli District and fix the boundaries in the said survey numbers and also issue direction to 3rd respondent herein to provide adequate police protection by considering the writ petitioner's application, dated 11.12.2024 within the time stipulated by this Court.



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For Petitioner : Mr.G.Sailendrababu
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.S.Prakash
Government Advocate

ORDER

The petitioner has sought for survey of the property belonging to the petitioner by application, dated 11.12.2024. The petitioner had also requested the 3rd respondent to provide police protection by request, dated 05.02.2025.

2. On 07.02.2025, survey was prevented at the instance of the adjacent land owner. The petitioner is therefore approached this Court seeking issuance of writ of mandamus.

3. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 and 2 and the learned Government Advocate for the 3rd respondent.

4. The petitioner's application for survey is based on the decree passed in O.S.No.304 of 2011 on the file of the Principal District Munsif, Vallioor. The



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petitioner claims title under her grand-father, who had purchased the property under a registered sale deed, dated 26.05.1927. In view of the above, the objections by the neighbours may not be germane.

5. However, in the interest of maintaining law and order, the 1st respondent prior to conduct survey shall inform the 3rd respondent, who shall provide adequate police protection to ensure the survey is conducted peacefully. The 1st respondent with the assistance of the 2nd respondent shall conduct survey based on the petitioner's application, dated 11.12.2024 after putting on notice the petitioner as well as objecting adjoining neighbours and hearing their objections, if any. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

6. With the above directions, this Writ Petition stands disposed of. No costs.

18.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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P.B.BALAJI, J.

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