



W.P.(MD)No.7828 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7828 of 2025

Vadivel Raja

... Petitioner

Vs.

1.The Thasildhar,
Radhapuram Taluk,
Tirunelveli District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to survey and fix the boundaries pertaining to the land bearing Survey No.448/1B2B of Palayoor II Revenue Village, Radhapuram Taluk, Tirunelveli District within the time limit as fixed by this Court based on the petitioner's application, dated 04.03.2025.

For Petitioner : Mr.K.K.Samy

For Respondents : Mrs.S.Jeyapriya
Government Advocate



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ORDER

The petitioner seeks issuance of writ of mandamus to direct the 2nd respondent to survey and fix the four boundaries of the petitioner's land in Survey No.448-1B2B of Palayoor-II revenue village, Radhapuram Taluk, Tirunelveli District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. The petitioner has made an application on 04.03.2025 seeking survey of an extent of 1.75 cents, contending that, out of total 10 cents, 8.25 cents have already been acquired and an award was also passed. The petitioner seeks survey in respect of the remaining 1.75 cents which according to the petitioner is in his occupation.

4. However, the learned Government Advocate would contend that the petitioner is not in occupation of any portion of the said survey number which is classified as Government Poromboke lands.



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5. The learned Government Advocate would further bring it to my notice that in few cases, it turns out that, the documents, on which reliance has been placed on by the applicants turn out to be forged or fabricated and these documents are contested by the persons, who are objecting for issuance of patta or survey the lands, or on coming to know of the patta issued, or survey conducted, come forward with petitions and complaints.

6. In view of the submission made by the learned Government Advocate, it is made clear that in the event of any such dispute arising at the time of enquiry or before the survey, then the respondents are not obligated to go ahead with the survey and they are well within their rights to direct the parties to approach the competent Civil Court to get necessary relief.

7. In the present case, the petitioner's representation is pending with the 2nd respondent and the 2nd respondent is directed to pass orders on the petitioner's representation, dated 04.03.2025 within a period of four (4) weeks from the date of receipt of copy of this order to enable the petitioner to take up the matter on appeal, if he is aggrieved.



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

21.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The Thasildhar,
Radhapuram Taluk,
Tirunelveli District.
- 2.The Taluk Surveyor,
Radhapuram Taluk,
Tirunelveli District.



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P.B.BALAJI, J.

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