



W.P.(MD)No.8793 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8793 of 2025

Selvi

... Petitioner

Vs.

1.The Tahsildar,
Thuraiyur Taluk,
Tiruchirappalli District.

2.The Taluk Surveyor,
Thuraiyur Taluk,
Tiruchirappalli District.

3. Annadurai

4.Saroja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's online representation, dated 28.10.2024 in Petition Number 2024/0123/15/003746 and survey and demarcate property in S.No.126/3A and S.No.126/3B in Balakrishnampatti East Village, Thuraiyur Taluk, Tiruchirappalli District.



WEB COPY



W.P.(MD)No.8793 of 2025

For Petitioner : Mr.K.Prabhakar

For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has sought for survey and in this regard, he has made an application on 28.10.2024.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

3. It is the specific case of the petitioner that despite survey notice having been issued on 11.11.2024 indicating survey to be conducted on 14.11.2024, no survey was conducted on 14.11.2024. It is also the case of the petitioner that the respondents 3 and 4 who had suffered a judgment and decree before this Court in S.A(MD)Nos.98 and 99 of 2016, without any iota of right are objecting to survey being conducted at the instance of the writ petitioner.

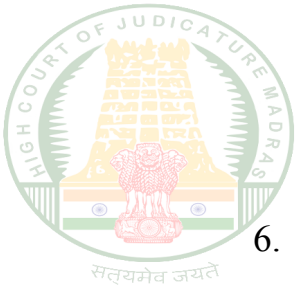
4. It is seen from the judgment in S.A(MD)Nos.98 and 99 of 2016, the appellant in the said second appeals was declared to be the owner of the subject



W.P.(MD)No.8793 of 2025

property in respect of Survey No.126/3A and 126/3B which belongs to the petitioner as well as the respondents 4 and 5. However, the learned counsel for the petitioner would submit that even in respect of Survey No.126/3B, the petitioner owns lands within four definite boundaries. Therefore, there can be no impediment to dispose of the petitioner's survey application, dated 28.10.2024.

5. In view of the above, this writ petition is disposed of, directing the respondents 1 and 2 to conduct survey based on the petitioner's application, dated 28.10.2024 in the presence of the jurisdictional police officials, who shall be informed well in advance to enable them to provide adequate police protection at the time of survey being conducted. It is made clear that since respondents 3 and 4 have already suffered decree up to this Court in second appeal proceedings and same has attained finality, the objections if any of the respondents 3 and 4 shall not be considered and survey shall be proceed with in accordance with law. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.



W.P.(MD)No.8793 of 2025

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

WEB COPY

01.04.2025

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

gbg

To:

- 1.The Tahsildar,
Thuraiyur Taluk,
Tiruchirappalli District.
- 2.The Taluk Surveyor,
Thuraiyur Taluk,
Tiruchirappalli District.



WEB COPY



W.P.(MD)No.8793 of 2025

P.B.BALAJI, J.

gbg

W.P.(MD)No.8793 of 2025

01.04.2025