



W.P.(MD)No.9047 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

WEB COPY

CORAM

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

W.P.(MD)No.9047 of 2025

Kannan

: Petitioner

Vs.

1.The Tahsildhar,
Madurai East Taluk,
Madurai District.

2.The Head Surveyor,
Taluk Survey Office,
Madurai East Taluk,
Madurai District.

3. The Inspector of Police,
Karupppaurani Police Station,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Mandamus, directing the 1 and 2 respondents to effect the survey of land and fixing four boundaries in survey No.41/6 of Madurai East Taluk, Kunnathur Village, Madurai District with the aid of 3rd respondent police, based on the application dated 17.02.2025.



WEB COPY



W.P.(MD)No.9047 of 2025

For Petitioner : Mr.R.Balamuruganantham

For Respondents 1 & 2 : Mr.C.Satheesh

Government Advocate

For Respondent No.3 : Mr.S.Prakash

Government Advocate [Crl.Side]

ORDER

The petitioner has sought for survey to be conducted based on his application dated 17.02.2025.

2.According to the petitioner, his neighbour one Solamalai, is attempting to interfere with the petitioner's possession and also trying to create records as the said Solamalai, is the cultivating tenant. According to the petitioner, the said Solamalai, has no right in the property belonging to the petitioner. The petitioner having made an application for survey, after remitting necessary charges, has come forward with the present Writ Petition, seeking expeditious survey to be conducted.

3.The learned Government Advocate would bring it to my notice that in few case, it turns out that, the documents, on which reliance has been placed on by the applicants turn 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



W.P.(MD)No.9047 of 2025

to know of the patta issued on survey conducted, come forward with petitions and complaints.

WEB COPY

4.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 or issuance of patta, then the respondents are not obligated to go ahead with the survey or issuance of patta and they are well within the rights to direct the parties to approach the competent Civil Court to get necessary relief.

5.In view of the limited prayer sought for, the respondents 1 and 2 are directed to conduct survey based on the petitioner's application dated 17.02.2025, after hearing the objections of Solamalai and passing orders on the said objections, if any. In the event of the respondents proceeding to conduct survey rejecting the objections of the neighbour Solamalai, and if necessary, the first respondent shall also seek the assistance of the third respondent, for providing necessary police protection at the time of survey, to prevent any breach of piece. The said exercise shall be carried out within a period of twelve [12] weeks from the date of receipt of a copy of this order.



W.P.(MD)No.9047 of 2025

WEB COPY

6.Accordingly, this Writ Petitions stands disposed of. There shall be no order as to costs.

02.04.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



WEB COPY



W.P.(MD)No.9047 of 2025

To

1.The Tahsildhar,
Madurai East Taluk,
Madurai District.

2.The Head Surveyor,
Taluk Survey Office,
Madurai East Taluk,
Madurai District.

3. The Inspector of Police,
Karupppaurani Police Station,
Madurai District.



WEB COPY



W.P.(MD)No.9047 of 2025

P.B.BALAJI., J.

MR

W.P.(MD)No.9047 of 2025

02.04.2025