

W.P.(MD)No.9665 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **P.B.BALAJI**

W.P.(MD)No.9665 of 2025

Viswanathan

... Petitioner

vs.

1.The District Collector,
Trichirappalli District,
Trichirappalli.

2.The Revenue Divisional Officer,
Zone of the Srirangam,
Vannangkovil, Trichirappalli District.

3.The Tahsildar,
Office of the Srirangam Taluk,
Srirangam, Trichirappalli District.

4.The Head Surveyor,
Office of the Srirangam Taluk,
Srirangam, Trichirappalli District.

5.The Inspector of Police,
Jeeyapuram Police Station,
Thiruchirappalli.

6.Chinnasamy
7.Muthusamy

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 3rd and 4th respondents to survey and demarcate the land in comprising survey Old No.42/2 and New No.42/1 in Natham 6 cents in located at Kamparasampettai Village, Srirangam Taluk, Trichirappalli District as per the order passed by District Munsif Court, Kulithalai in E.P.No.144 of 1975 delivered possession on 19.11.1975 and considering the petitioner's representation on 14.03.2025 and within a time frame fixed by this Court.

For Petitioner	:Mr.P.Balasubramanian
For R1 to R4	:Mr.M.Lingadurai Special Government Pleader
For R5	:Mr.S.Prakash Government Advocate (Civil side)

ORDER

Heard Mr.P.Balasubramanian, learned Counsel appearing on behalf of the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing on behalf of the respondents 1 to 4 and Mr.S.Prakash, learned Government Advocate (Civil side) appearing on behalf of the fifth respondent.

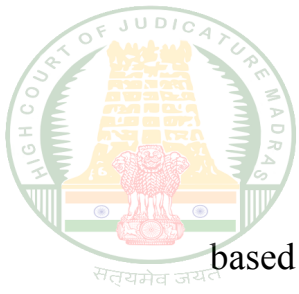


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2.The petitioner seeks for issuance of a Writ of Mandamus to direct the respondents 3 and 4 to survey and demarcate the petitioner's natham land comprised in Old S.No.42/2 and New S.No.42/1 measuring to an extent of 6 cents situated at Kamparasampettai Village, Srirangam Taluk, Trichirappalli District in pursuance of the decree passed in a civil suit, which came to be executed in E.P.No.144 of 1975, delivering possession to the petitioner on 19.11.1975. Based on the long possession, the petitioner has made a representation to the official respondents to survey his lands. The said representation was given on 14.03.2025. It is seen from the representation enclosed along with the typed set of papers that in view of the objections by the private respondents, the survey could not be conducted and it appears that there is a rival claim to the title for the subject lands.

3.Mr.M.Lingadurai, learned Special Government Pleader, on the other hand, on written instructions, submits that S.No.42/1 has been further sub divided as S.No.42/1A, which classification denotes “Temple” (Arasu poramboke), S.No.42/1B denotes “School” (Arasu Poramboke) and 42/2 denotes “natham”. The petitioner's claim is only



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based on the civil Court's decree and the petitioner has also not produced any natham patta issued to him.

4.The petitioner's request is only in respect of S.No.42/2, which is admittedly natham land. However, in view of the objections by the private respondents 6 and 7, it would suffice to dispose of the Writ Petition directing the third respondent to conduct an enquiry, hear the petitioner as well as the respondents 6 and 7 and in the event of the second respondent finding that there is no rival claim to title as such, the second and third respondents, with the assistance of the fourth respondent, and if necessary fifth respondent, shall proceed to conduct survey and dispose of the petitioner's representation, dated 14.03.2025. However, in the event of the third respondent coming to a reasonable conclusion that there is a dispute with regard to the title, then the third respondent may relegate the parties to approach the competent civil Court to redress their grievance and it is open to the petitioner to take any application for survey before the competent Court in a civil suit that may be filed. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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5.The Writ Petition is disposed of accordingly. No costs.

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

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5/6



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P.B.BALAJI, J.

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