

W.P.(MD)No.9654 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.9654 of 2025

Mahamurthy

... Petitioner

vs.

1.The Tahsildar,
Lalgudi Taluk, Trichy District.

2.The Surveyor,
Lalgudi Taluk, Trichy District.

3.Rengaraj
4.Suthakar
5.Anandh
6.Selvakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to carry out survey, measurement and demarcation of boundaries of the properties comprised in Survey Nos.277/1B1 and 278/1A2 with an extent of 0.92.00 Hectare and 0.71.50 Hectare respectively situated at Neikulam Village, Lalgudi Taluk, Trichy District by considering the petitioner's application, dated 16.02.2025, and subsequent representation dated 10.03.2025.



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For Petitioner :Mr.T.Leninkumar
For R1 and R2 :Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.T.Leninkumar, learned Counsel appearing on behalf of the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing on behalf of the respondents 1 and 2.

2.The petitioner seeks for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to survey, measure and demarcate the petitioner's property comprised in Survey Nos.277/1B1 and 278/1A2 with an extent of 0.92.00 Hectare and 0.71.50 Hectare respectively situated at Neikulam Village, Lalgudi Taluk, Trichy District. The petitioner has given an application for survey and demarcation on 16.02.2025 and has subsequent followed it with a representation, dated 10.03.2025.

3.The learned Counsel for the petitioner submits that because of the objections of the respondents 3 to 6, private respondents, who have



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no right in the petitioner's property, the respondents 1 and 2 have not coming forward to conduct survey.

4.In view of the above, the Writ Petition is disposed of directing the respondents 1 and 2 to conduct survey and dispose of the petitioner's application, dated 16.02.2025, and the representation, dated 10.03.2025, after affording an opportunity to the respondents 3 to 6 to put forth their objections and after considering the same, the first respondent shall decide on the said objections and shall either proceed to conduct survey or direct the parties to approach the competent civil Court, in the event of there being any claim of title over the subject lands in respect of which survey is sought for by the petitioner. In the event of objections of Respondents 3 to 6 being frivolous, than the same shall be overruled/rejected and the first respondent, with the assistance of the second respondent, shall proceed to conduct survey and dispose of the petitioner's survey application, dated 16.02.2025. The entire exercise shall be carried out within a period of twelve weeks from the date of receipt of a copy of this order. The said exercise shall be carried out, if necessary, in the presence of the jurisdictional Police officials, whose



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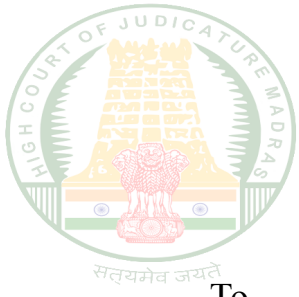
presence may be required by the first respondent and in such event of police protection being necessary, the first respondent shall make necessary advance intimation to the jurisdictional Police station, who shall immediately act upon the same and ensure that sufficient police personnel are posted to enable peaceful survey to be conducted.

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

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

15.04.2025

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Lalgudi Taluk, Trichy District.

2.The Surveyor,
Lalgudi Taluk, Trichy District.



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P.B.BALAJI, J.

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