



W.P.(MD)No.9908 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.9908 of 2025

R.Susaimanickam

... Petitioner

Vs.

1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Taluk Head Surveyor,
Devakottai Taluk,
Sivagangai District.

3.The Inspector of Police,
Taluk Police Station,
Devakottai,
Sivagangai District.

4.Vettrikodi

5.Periyasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, the respondent no.2 to conduct survey and earmark the petitioner's land in S.No.426/4A1 and S.No. 426/4A2 Paruthiyur Village, Devakottai Taluk, Sivagangai by considering the petitioner's representation, dated 14.03.2025 District within the time frame stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar
for M/s.Roy and Roy Associates

For R1 & R2 : Mr.C.Satheesh
Government Advocate

For R3 : Mr.S.Prakash
Government Advocate (Crl.Side)

ORDER

The petitioner seeks issuance of writ of mandamus to direct the respondents 1 and 2 to survey the petitioner's land.

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

3. The grievance of the petitioner is that though he made an application as early as on 23.04.2024 and paid the necessary survey fees, because of the intervention of the respondent 4 and other neighbours, the survey has not been conducted.

4. However, the learned Government Advocate, on instructions, submit that as early as on 06.12.2024 survey has been conducted and four boundaries



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have been demarcated and shown to the writ petitioner. The learned counsel for

the petitioner fairly admits the said submission of the Government Advocate.

However, the grievance of the writ petitioner is that, the neighbours, including respondents 4 and 5 are not permitting the petitioner to protect his property by securing it by way of fencing and they are also removing the boundary stones that have been laid by the survey authorities and only under such circumstances, he has sought for a survey once again.

5. Making it clear that it is for the petitioner to take appropriate steps to protect his property, the respondents 1 and 2 are directed to conduct survey based on the second application, dated 03.03.2025 and the representation, dated 14.03.2025 and demarcate the boundaries of the petitioner's property. Thereafter, it would be the responsibility of the petitioner to secure his property by putting up necessary fence or take such other safety measures and the petitioner cannot expect the revenue authorities to give protection or safeguard the petitioner's property. The said exercise shall be carried out after putting on notice the petitioner and the respondents 4 and 5 as well as any other neighbouring land owners who may have an interest in the matter. It shall also be open to the 1st respondent to seek the assistance / protection of the 3rd



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respondent to conduct a peaceful survey. The said exercise shall be carried out within a period of twelve (12) weeks from the date of receipt of copy of this order.

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

15.04.2025

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

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To:

- 1.The Tahsildar,
Devakottai Taluk,
Sivagangai District.
- 2.The Taluk Head Surveyor,
Devakottai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Taluk Police Station,
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P.B.BALAJI, J.

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