



W.P.(MD)No.10199 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

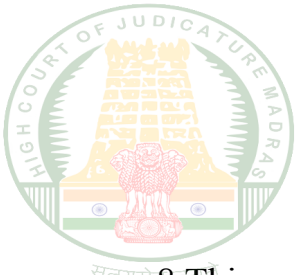
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P.Thenramil Pavai

... Petitioner

Vs.

- 1.The District Collector,
O/o. the District Collector,
Madurai,
Madurai District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Madurai,
Madurai District.
- 3.The Tahsildar,
Madurai South Taluk Office,
Madurai,
Madurai District.
- 4.The Firka Surveyor,
Madurai South Taluk Office,
Madurai,
Madurai District.
- 5.M.Palanikumar
- 6.Muniyandi
- 7.Ramesh Kumar



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8.Thirupathi
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... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos.3 and 4 to survey and mark four boundaries of the petitioner's property situated in Survey Nos. 151/25, 151/26 in Annupanadi Village, Madurai South Taluk, Madurai District with extent 10 cents by considering the petitioner's application, dated 21.02.2025 within a time period stipulated by this Court.

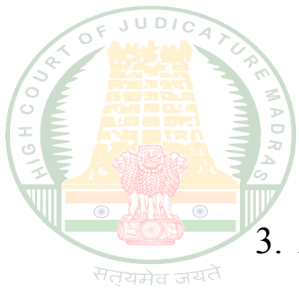
For Petitioner : Mr.M.U.Shameem John

For R-1 to R-4 : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner seeks issuance of writ of mandamus to direct the respondents 3 and 4 to conduct survey based on the petitioner's application, dated 21.02.2025 and mark boundaries of the petitioner's property.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the official respondents.



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3. According to the petitioner, the petitioner has purchased the subject property under a registered sale deed and has also been issued with Patta No. 6219. However, only in order to ascertain four boundaries to put up construction of compound wall, the petitioner has made an application for survey. He therefore seeks for this writ petition being disposed of accordingly.

4. The learned Special Government Pleader, on instructions, submits that survey was already conducted on 18.02.2025 and the petitioner refused to sign the proceedings. However, the said statement of the Special Government Pleader is refuted by the learned counsel for the petitioner stating that no such survey was conducted based on the petitioner's application, but survey was conducted only based on the 5th respondent's application.

5. Be that as it may, the petitioner has made an application on 21.02.2025 and also paid the requisite fee. The petitioner's request for survey is based on not only a registered sale deed in his favour, but also the patta issued to him by the revenue authorities. Therefore, there can be no impediment for the survey being conducted as requested by the writ petitioner. However, in view of the *inter se* dispute between the petitioner and the private respondents, more



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specifically the 5th respondent, against whom the writ petitioner has also filed a suit before the Principal District Munsif Court, Madurai in O.S.No.97 of 2025 for the relief of permanent injunction and the said suit is pending, I deem it fit to dispose of in the manner following:

(i) The respondents 3 and 4 shall fix a date for survey on order to dispose of the petitioner's survey application, 21.02.2025.

(ii) The 3rd respondent shall give advance notice to the petitioner as well as the private respondents 5 to 8 and the objections of the respondents 5 to 8 shall also be considered by the 3rd respondent.

(iii) The 3rd respondent shall also take the assistance of the jurisdictional police officers to prevent any breach of peace at the time of survey.

(iv) The 3rd respondent with the assistance of the 4th respondent shall conduct survey and fix four boundaries alone and under the rise of survey, there should be no disposition of any of the parties.

(v) The said exercise should be carried out within a period of eight (8) weeks from the date of receipt of copy of this order.



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

16.04.2025

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

- 1.The District Collector,
O/o. the District Collector,
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Madurai District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Madurai,
Madurai District.
- 3.The Tahsildar,
Madurai South Taluk Office,
Madurai,
Madurai District.
- 4.The Firka Surveyor,
Madurai South Taluk Office,
Madurai,



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P.B.BALAJI, J.

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