



W.P.(MD)No.10103 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

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

W.P.(MD)No.10103 of 2025

V.Nagaraj

: Petitioner

Vs.

1.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

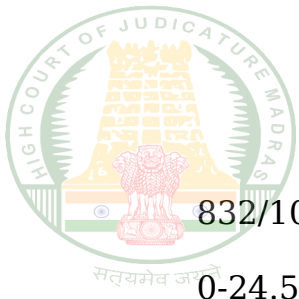
2.The Taluk Surveyor,
Dindigul West Taluk,
Dindigul District.

3.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

4.Ayyanar

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 and 2 to survey the petitioner's properties, fix the four boundaries in S.F.No.825/8B to an extent of 0-9.50 ares, S.F.No.832/7 to an extent of 0-13.00 Ares, S.F.No.832/9 to an extent of 0-9.00 Ares, S.F.No.



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832/10 to an extent of 0-14.00 Ares, S.F.No.832/11 to an extent of 0-24.50 Ares and S.F.No.834/7 to an extent of 0-35.00 Ares situated at Dindigul West Village, Pallapatti Revenue Village, Dindigul District, with the aide of the third respondent, based on the petitioner's representation dated 26.02.2025, within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prasanna Vinoth
For Respondents 1 & 2 : Mr.B.Saravanan
Additional Government Pleader
For Respondent No.3 : Mr.S.Prakash,
Government Advocate [Crl. Side]

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents 1 and 2 to survey the petitioner's properties and fix four boundaries. The petitioner has made an application to the respondents on 24.02.2025 and has also followed it up with a representation dated 26.02.2025.

2.It appears that the fourth respondent has filed a suit for declaration and injunction, which is pending in O.S.No.113 of 2022, before the Sub-Court, Dindigul and the same is pending. However, it is brought to my notice that there is no interim order granted in the said suit. Further, learned Counsel for the petitioner submits that if

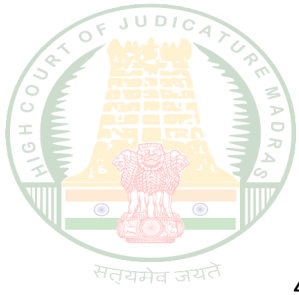


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the survey is conducted and boundaries are identified, it may give a quietus to the civil dispute.

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3. Considering the above, the Writ Petition is disposed of, directing the first and second respondents to pass orders on the petitioner's survey application dated 24.02.2025, after giving advance notice to the fourth respondent and after hearing the objections of the fourth respondent, if any. In the event of the objections of the fourth respondent being frivolous, the first respondent shall proceed to conduct survey. In the event of the fourth respondent's objection being material in nature and it would require adjudication by a competent Civil Court, then the first respondent is entitled to relegate the parties to the Civil Court in which event, it shall be open to the petitioner to take out an application for survey in the pending suit. 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. In the event of the first respondent apprehending any breach of peace, the first respondent shall put the third respondent on advance notice and the third respondent shall ensure that sufficient police personnel are posted to ensure peaceful survey being conducted by first and second respondents.



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4. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

16.04.2025

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



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To

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P.B.BALAJI., J.

MR

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