



W.P.(MD)No.10688 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.10688 of 2025

A.Arulraj

.... Petitioner

/Vs/

1. The Tahsildar
Kulithalai Taluk, Karur District.
2. The Taluk Surveyor
Kulithalai Taluk, Karur District.
3. The Inspector of Police
Thogamalai Police Station,
Karur District.
4. M.Dharmaraj
5. Sarasu
6. Sundararaj
7. Suseela
8. Sumathi

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents no.1 and 2 to survey the common cart track in S.F.No. 459/1A situated at Koodalur Village, Kulithalai Taluk, Karur District with the police protection of the 3rd respondent as per the judgment and decree dated 17.08.2017 in O.S.No.



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227/2010 on the file of District Munsif Court, Karur based on the petitioner's application dated 27.06.2024.

For Petitioner : Mr.R.Posaladevan
for A.N.Ramanathan
For R1 & R2 : Mrs.K.Malathi
Additional Government Pleader
For R3 : Mr.S.Prakash
Government Advocate (Crl.side)

ORDER

I have heard Mr.R.Posaladevan, learned counsel for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents 1 & 2 and Mr.S.Prakash, learned Government Advocate (Crl.side) appearing for the third respondent.

2. The petitioner seeks limited relief of direction directing the respondents 1 & 2 to conduct survey of the common cart track situated in in S.F.No. 459/1A Koodalur Village, Kulithalai Taluk, Karur District based on the judgment and decree dated 17.08.2017 in O.S.No. 227/2010 on the file of District Munsif Court, Karur. The petitioner has also made an application in this regard on 27.06.2024 and seeks expeditious disposal of the same.



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3. The learned Additional Government Pleader appearing for the respondents 1 & 2 would submit the survey cannot be undertaken unless the petitioner clears the shrubs and bushes, which have wildly grown inside the subject property. The learned counsel for the petitioner as well as the learned Additional Government Pleader would submit that police protection would be required for conducting a peaceful survey.

4. In the light of the above, the writ petition is disposed in the following manner:

(i) The petitioner shall make necessary arrangements, at his costs, to clear the wildly grown bushes and shrubs, paving the way for survey to be conducted by the officials, within a period of 4 weeks from the date of receipt of a copy of this order.

(ii) Once the petitioner makes the lands available for survey complying with the direction issued in clause (i) above, the first respondent, with the assistance of the second respondent, shall conduct survey and dispose of the petitioner's application dated 27.06.2024.



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having any difficulty in complying with the directions given herein above, they are at liberty to approach the third respondent for necessary police protection to ensure that the survey is conducted peacefully after clearing the shrubs and trees grown in the subject lands in Survey No. 459/1A, situated at Koodalur Village, Kulithalai Taluk, Karur District.

(iv) The entire exercise shall be carried out within a period of twelve (12) weeks thereafter. No costs.

Index : Yes / No
NCC : Yes / No
am

17.04.2025

To

1. The Tahsildar
Kulithalai Taluk, Karur District.
2. The Taluk Surveyor
Kulithalai Taluk, Karur District.
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Thogamalai Police Station,
Karur District.

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P.B. BALAJI, J.
am

Order made in
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