



W.P.(MD)No.10845 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.10845 of 2025

R.Maruthu Pandi

... Petitioner

Vs.

1. The District Collector

O/o. the District Collector, Madurai,
Madurai District.

2. The Revenue Divisional Officer,

O/o.The Revenue Divisional Officer,
Madurai, Madurai District.

3. The Tahsildhar

Madurai West Taluk Office,
23, Theni Road,
Fenner Colony, Virattipathu,
Madurai District.

4 The Firka Surveyor

Madurai West Taluk Office,
23, Theni Road,
Fenner Colony, Virattipathu,
Madurai District.



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5. The Village Administrative Officer,
O/o. the Village Administrative Officer,
Vilacheri, Madurai District.

6. The Inspector of Police
Nagamalaipudukkottai Police Station,
Nagamalaipudukkottai,
Madurai District.

7. R.Muruganantham

8. Selvaragavan ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 4 to survey and mark four boundaries of the petitioner's property situated in Survey No.115/3 in Vilancheri Village, Madurai West Taluk, Madurai District, with an extent of 6.5 cents by considering the petitioners application dated 08.03.2025 within a time period stipulated by this Court.

For Petitioner : Mr.A.Abdulkabur

For Respondents : Mr.C.Satheesh
Government Advocate for R1-5
: Mr.S.Prakash,
Government Advocate for R6

ORDER

The petitioner seeks issuance of writ of mandamus, to direct the respondents 3 and 4 to survey and mark four boundaries of the petitioner's property.



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2. I have heard the learned counsel on either side.

3. The petitioner has made an application on 08.03.2025, on the strength of decree passed by the competent civil Court in O.S.No.595 of 2008, on the file of the District Munsif, Thirumangalam, by the judgment and decree dated 15.02.2018, upholding the possession of the writ petitioner.

4. The learned counsel for the petitioner submits that though survey was proposed to be undertaken on 08.04.2025, in view of the objections of the private respondents 7 and 8, officials could not go ahead and conduct survey. He therefore seeks for necessary police protection.

5. Considering the fact that the physical possession of the petitioner has been upheld by the competent civil Court in a civil suit, to which the seventh respondent as the first defendant in the suit, I see no impediment for the authorities to proceed to conduct survey, based on the petitioner's application.



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6. In the light of the above, the fourth respondent, viz., Firka Surveyor shall conduct survey, after putting on notice to the petitioner and other legal has of late. Rajadurai and also the private respondents 7 and 8. The fourth respondent shall also give advance intimation to the sixth respondent, seeking necessary police protection at the time of survey shall be conducted and the application of the writ petitioner shall be disposed of, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Index : Yes / No

NCC : Yes / No

LS

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P.B. BALAJI, J.

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Order made in
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Dated:
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