



W.P.(MD)No.11064 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

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

W.P.(MD)No.11064 of 2025

N.Annadurai

: Petitioner

Vs.

1.The Tahsildar,
Thiruvonam Taluk,
Thiruvonam,
Thanjavur District.

2.The Firka Surveyor,
Thiruvonam Firka,
Thiruvonam,
Thanjavur District.

3.The Village Administrative Officer,
Neiveli Vadapathi Village,
Thiruvonam,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to conduct survey and earmark the four boundaries for fencing the property in Survey No.235/9 for an extent of 001.40 Ares situated at



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Neiveli Vadapathi, Thiruvonam Taluk, Thanjavur District based on
the petitioner's application dated 09.12.2024.

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For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.M.Lingadurai

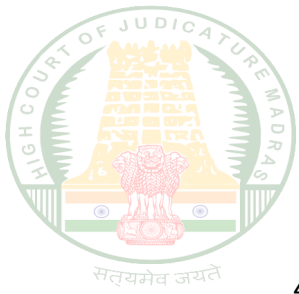
Special Government Pleader

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to conduct survey and dispose of the petitioner's application dated 09.12.2024.

2.Heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

3.Learned Counsel for the petitioner would submit that though survey was proposed to be conducted and notice was also issued to the petitioner and the adjoining neighbours, at the behest of one of the neighbours on the eastern side of the petitioner's house, the survey officials went back, without conducting survey. Hence, the petitioner is constrained to move this Court for suitable relief.



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4.The petitioner bases his claim on revenue records mutated in his favour. The petitioner's request for survey is to demarcate the boundaries and to fence his property, to protect his property after survey. The survey authorities have rightly proceeded to act on the application of the petitioner by issuing notice to the petitioner and the adjoining neighbouring land owners, namely, Amutha, Prabhavathi and Thambi Kannu.

5.The grievance of the petitioner is that the brother of Thambi Kannu, the adjoining neighbour on the eastern side has objected for survey. The survey authorities shall ascertain the physical possession of the petitioner before proceeding to conduct a survey and mere objection raised by neighbouring owners cannot prevent the officials from conducting the survey. If need be, the Tahsildar shall seek the assistance of the jurisdictional police to ensure that survey is conducted peacefully.

6.With the above direction, the Writ Petition is allowed, directing the first respondent to conduct survey with the assistance of the second respondent and if need be the assistance of the jurisdictional police shall be sought for and thereafter dispose of the survey application of the petitioner within a period of eight [8] weeks



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from the date of receipt of a copy of this order. It is made clear that under the guise of survey, the survey officials are not entitled to dispossess anybody in possession. There shall be no order as to costs.

22.04.2025

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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