



W.P.(MD)No.12050 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

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CORAM

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

W.P.(MD)No.12050 of 2025

Aasaithambi

: Petitioner

Vs.

1. The District Collector,
District Collector Office,
Dindigul.
2. The Tahsildar,
Tahsildar Office,
Gujiliambarai Taluk,
Dindigul.
3. The Sub Inspector of Police,
Gujiliambarai Police Station,
Dindigul.
- 4.The District Superintendent of Police,
District Superintendent of Police Office,
Dindigul.
5. Papa
6. Kaliyappan
7. Karuppasamy
8. Chinnu



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9. Vellaisamy

10. Ganesan

11. Murugan,

12. Karuppasamy

13. Murugan

14. Nagaraj

15. Ponnammal

16. Karuppanan

17. Perumal

18. Lakshmi

19. Muththan

20. Muniyandi

21. Maragadham

22 Balakrishnan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st and 2nd Respondents to survey and demarcate the said landed property and directing the 3rd and 4th Respondents to provide police protection to survey and demarcate the said landed property comprised in survey no.1655/1A, 1655/1B, 1655/2, 1655/3A, 1655/3B, 1654/1, 1654/2, 1654/9 situated at Bhagavadhiyamman Kovil Street, Palayam Village, Gujiliambarai Taluk, Didigul District by considering the petitioner's representation dated 25.03.2025.



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For Petitioner : Mr.S.Harish

For Respondents 1 & 2 : Mr.M.Lingadurai

Special Government Pleader

For Respondents 3 & 4 : Mr.S.Prakash

Government Advocate [Crl. Side]

ORDER

The petitioner, admitting that survey was earlier conducted on 15.03.2025 and his application was disposed of, in view of the subsequent high-handed action of the private respondents 5 to 22, by changing and removing the survey stones, the petitioner has once again made an application on 25.03.2025, seeking re-survey.

2.Admittedly, the petitioner's request for survey and demarcation of four boundaries has been complied with. It is for the petitioner to protect his property, thereafter. However, since the survey stones have been removed and there has been change effected by the private respondents, the petitioner has made an application for the second survey and paid the necessary charges and this time, the petitioner seeks protection of the police officials to ensure proper survey is conducted.

3.Learned Special Government Pleader would invite my attention to the paragraphs Nos.2 and 5 of the affidavit and the averments that even the private respondents have constructed a



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shop in a portion of the petitioner's property and under the guise of survey, the petitioner cannot seek for any dispossession and for such relief, he has to approach the competent Civil Court.

4.In view of the above, considering the fact that the petitioner has made an application for re-survey to be conducted in the presence of the police officials, a direction is given to the respondent No.2 to resurvey the petitioner's lands with the assistance of the third respondent and fix the four boundaries, after giving advance notice to respondents 5 to 22. It is made clear that there shall be no dispossession under the guise of survey and once the survey is conducted and four boundaries are ascertained, it is for the petitioner to thereafter safeguard his property and he shall not once again approach the revenue authorities for their assistance. 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.

5.Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

25.04.2025

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



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P.B.BALAJI., J.

MR

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