



W.P.(MD)No.12127 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.12127 of 2025

1. Pandian
2. Mani

.... Petitioners

/Vs/

1 The Tahsildar,
Office of the Tahsildar,
Thottiyam, Tiruchirapalli District.

2 The Head Surveyor,
Office of the Tahsildar,
Thottiyam,
Thiruchirapalli District.

3 The Inspector of Police
Kattuputhur Police Station,
Tiruchirapalli District.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey and demarcate the petitioner's land fix and fence the boundary stones in Survey No.634/1A situated at Nagainallur Village, Thottiyam Taluk, Tiruchirapalli District to an extent of 2616 Sq.ft with Police protection within a time frame that may be stipulated by this Court.



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For Petitioners : Mr.K.Pragadeesh Kumar
For R1 and R2 : Mrs.S.Jeyapriya
Government Pleader
For R3 : M.Karunanidhi
Government Pleader (Crl.side)

ORDER

I have heard Mr.K.Pragadeesh Kumar, learned counsel appearing for the petitioner, Mrs.S.Jeyapriya, learned Government Advocate appearing for the respondents 1 & 2 and Mr.M.Karunanidhi, learned Government Advocate (Crl.side) appearing for the third respondent.

2. The learned counsel for the petitioner would invite my attention to the averments in the affidavit and also the documents in support of the writ petition. The petitioner entered into an agreement of sale to purchase the subject lands and on default committed by the vendor, the petitioner has moved the District Munsif Court, Musiri in O.S.No.224 of 2015 and obtained a decree for specific performance on 23/10/2017. It is also seen that subsequently, the Executing Court has satisfied the decree by executing a sale deed in favour of the petitioner in document number 1502/2019 on 14.08.2019 before the Sub Registrar, Kattuputhur.



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Thereafter, the petitioner has made an application for survey of the lands on 04.05.2024. He has also paid the requisite charges on 15.10.2025 and made an online application as well. The petitioner seeks said application to be disposed of.

3. The learned counsel for the petitioner would submit that the vendors, who are the defendants in O.S.No.224 of 2015, are likely to cause disturbance to the survey being conducted and hence, he seeks for necessary police protection.

4. In the light of the above, the writ petition is disposed of directing the respondents 1 & 2 to conduct survey and demarcate the petitioner's land and fix the 4 boundaries in Survey No.634/1 to enable the petitioner's to put up fence, if they choose to do so. In the event of the first respondent requiring any police protection to conduct peaceful survey, it shall be open to the first respondent to approach the third respondent and on any such request being made by first respondent, the third respondent shall ensure that police personnel are posted to ensure that the first respondent shall conduct survey peacefully, without



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dispossessing any person who is found to be in physical possession. The said exercise shall be carried out, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
NCC : Yes / No
am

28.04.2025

To

1 The Tahsildar,
Office of the Tahsildar,
Thottiyam,
Tiruchirapalli District.

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Office of the Tahsildar,
Thottiyam,
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P.B. BALAJI, J.
am

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