



W.P.(MD)No.12399 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2025

CORAM

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

W.P.(MD)No.12399 of 2025

F.Antony Muthu

: Petitioner

Vs.

1.The Tahsildar,
Thoothukudi,
Thoothukudi District.

2.The Taluk Head Surveyor,
Sathankulam Taluk,
Thoothukudi District.

3.The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi 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 fix the boundaries of my family's temple and property in Patta No.472 to an extent of 40 cents situated in Survey



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No.64/1B Kommudikottai Village, Sathankulam Taluk, Thoothukudi

District, based on my representation and fee remittance dated 14.03.2025 and reminder representation dated 21.03.2025 and consequently direct the third respondents to provide police protection at the time of survey of the above said land within the time limit that may be fixed by this Court.

For Petitioner : Mr.S.Jai Surya Prakash
For Respondents 1&2 : Mr.M.Lingadurai,
Special Government Pleader
For Respondent No.3 : Mr.M.Karunanithi
Government Advocate [Crl. Side]
for Mr.S.Prakash,
Government Advocate [Crl. Side]

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to conduct survey and fix four boundaries of the petitioner's family temple.

2.Heard the learned Counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 & 2 and Mr.M.Karunanithi, learned Government

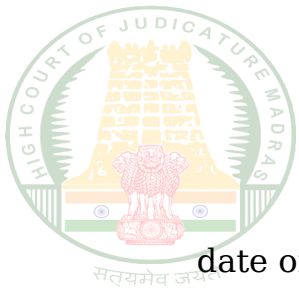


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Advocate [Crl. Side], for Mr.S.Prakash, learned Government Advocate [Crl. Side], appearing for the third respondent.

3.The case of the petitioner is that the lands comprised in S.No.64/1B is covered by Patta No.472, which stands in the name of the temple being administered by the family members of the petitioner. It is also the specific contention of the petitioner that earlier there was a civil dispute, where some private respondents had claimed that the said temple was a common property. However, the said suit came to be dismissed in favour of the petitioner and his family members. The petitioner along with family members also moved this Court in CRL.R.C.(MD)No.226 of 2022 and by order dated 06.04.2022, the order of the Revenue Divisional Officer was also quashed.

4.Be that as it may, the petitioner only seeks for survey to be conducted in respect of the property which admittedly even according to the petitioner is only a temple property. In the light of the above, the writ petition is disposed of, directing the respondents 1 and 2 with the assistance of the third respondent police officials to dispose of the petitioner's application for survey, on merits and in accordance with law, within a period of twelve [12] weeks from the



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date of receipt of a copy of this order. After hearing the objections, if any, of the interested third parties. However, it is made clear that if the objections of the respondents 3 to 12, which have already been rejected are reiterated or repeated over and again, it shall not come in the way of the officials proceeding to conduct survey.

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

28.04.2025

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



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