



W.P.(MD)No.12353 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12353 of 2025

T.Elavazhagan

... Petitioner

Vs.

1.The Tahsildhar,
O/o Taluk Office,
Rameshwaram Taluk,
Ramanathapuram District.

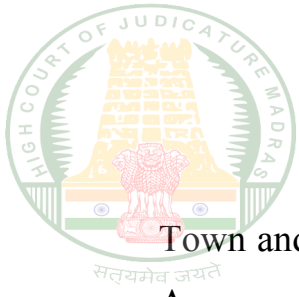
2.The Firka Surveyor,
Land Survey Department,
OO/o Taluk Office,
Rameshwaram Taluk,
Ramanathapuram District.

3.The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District.

4.R.Glady Mathew

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to conduct survey as per Tamil Nadu Survey and Boundaries Act 1923 and to fix boundaries in respect of land comprised in survey No.395/41 situated at Rameshwaram



W.P.(MD)No.12353 of 2025

Town and Taluk, Ramanathapuram District within extent of 10 cents i.e., 04.00 Ares respectively and consequently direct the 3rd respondent give police protection while surveying the above said lands based on the petitioner's representation, dated 19.04.2025 within a stipulated period.

For Petitioner : Mr.M.Mathankarthick

For R-1 and R-2 : Mr.B.Saravanan
Additional Government Pleader

For R-3 : Mr.M.Karunanithi
Government Advocate(Cr.Side)
for Mr.S.Prakash
Government Advocate(Crl.Side)

ORDER

The petitioner, based on the Legal Heirship Certificate and patta transfer proceedings, dated 20.03.2025, as one of the legal heirs of Thangamani, the original pattadhar and owner of the property, has sought for issuance of writ of mandamus to direct the survey to be conducted.

2. Heard the learned counsels for the parties.

3. It is the case of the petitioner that an application was made on 04.03.2025 and subsequently patta mutation has also been ordered on



W.P.(MD)No.12353 of 2025

20.03.2025. I find that Patta No.13753 has also been mutated in the names of

Sandhi w/o Thangamani, Durgadevi d/o Thangamani and Ilavazhagan s/o Thangamani i.e, the petitioner herein. The petitioner has also given a representation on 19.04.2025 seeking police protection as well.

4. In the light of the above, this writ petition is disposed of, directing the respondents 1 and 2 with the assistance of the 3rd respondent officials, to dispose of the petitioner's survey application and pass final orders, after giving an opportunity to the petitioner, his mother, his sister as well as the 4th respondent i.e., the neighbouring land owner. In the event of the 4th respondent neighbouring land owner having any objections which pertain to title of the subject lands, in respect of which survey is sought for, then the Tahsildar is entitled to refuse the survey and direct the parties to approach the competent Civil Court. However, if the objections of the 4th respondent are vexatious and do not touch issues of title of the petitioner, his mother and his sister, then survey shall be conducted and the petitioner's representation, dated 19.04.2025 shall be disposed of, on its own merits in accordance with law, within a period of twelve (12) weeks from the date of receipt of copy of this order.



W.P.(MD)No.12353 of 2025

WEB COPY 5. With the above direction, this Writ Petition stands disposed of. No costs.

28.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

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To:

- 1.The Tahsildhar,
O/o Taluk Office,
Rameshwaram Taluk,
Ramanathapuram District.
- 2.The Firka Surveyor,
Land Survey Department,
OO/o Taluk Office,
Rameshwaram Taluk,
Ramanathapuram District.
- 3.The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District.



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W.P.(MD)No.12353 of 2025

P.B.BALAJI, J.

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W.P.(MD)No.12353 of 2025

28.04.2025