



W.P.(MD)No.12732 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12732 of 2025

M.Rajasekar

... Petitioner

Vs.

- 1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
- 2.The Tahsildar,
Office of the Srirangam Taluk,
Srirangam,
Tiruchirappalli District.
- 3.The Head Surveyor,
Office of the Srirangam Taluk,
Srirangam,
Tiruchirappalli District.
- 4.The Inspector of Police,
Pettavaithalai Police Station,
Pettavaithalai,
Trichy District.

5.Moorthi

6.Padmavathi

7.M.Saravanan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 4 to conduct survey and earmark the four boundaries for fencing to adequate the police protection to the Petitioner's properties comprised in Survey No.116A for an extent of 680 Sq.Ft. and Survey No.120/10C for an extent 1540 Sq.Ft both the properties are situated at Perugamani, Srirangam Taluk, Trichy District, based on the petitioner's representation dated 11.04.2025 within a time as fixed by this Court.

For Petitioner	:	Mr.P.Balasubramanian
For R-1 to R-3	:	Mrs.K.Malathi Additional Government Pleader
For R-4	:	Mr.S.Prakash Government Advocate (Criminal Side)

ORDER

The petitioner seeks issuance of writ of mandamus to direct the respondents 2 to 4 to conduct survey and demarcate four boundaries to enable the petitioner to fence the property. The petitioner also seeks for necessary police protection.

2. Heard the learned counsel for the parties.



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3. The learned counsel for the petitioner would invite my attention to the dismissal of the suit in O.S.No.1587 of 2013 filed by one Padmavathi / 6th respondent herein. The said suit was admittedly dismissed for non-prosecution and the said Padmavathi who is the 6th respondent herein took out I.A.No.1 of 2019 to condone the delay of 235 days in filing the restoration application. The said application came to be dismissed on merits by order, dated 04.01.2023 on the file of District Munsif cum Judicial Magistrate, Srirangam. Aggrieved by the said order, the said Padmavathi preferred C.M.A.7 of 2023 and the same also came to be dismissed on 27.01.2025. Therefore, according to the learned counsel for the petitioner, there is no suit pending and there can be no impediment for the authorities to proceed to conduct survey. The petitioner seeks survey in respect of two survey numbers and in respect of one survey number, patta has been mutated in the name of the petitioner and in respect of other survey number, the petitioner relies only on registered document and moreover, the suit filed against the petitioner has also been dismissed.

4. In view of the above, this writ petition is allowed, directing the respondents 2 and 3 to conduct survey, after giving advance notice to the petitioner, 4th respondent jurisdictional police officials as well as private



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respondents 5 to 7. The said exercise shall be completed within a period of

twelve (12) weeks from the date of receipt of copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

29.04.2025

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

To:

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Srirangam,
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Pettavaithalai,
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P.B.BALAJI, J.

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