



W.P.(MD)No.12175 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.12175 of 2025

S.Kalidas

.... Petitioner

/Vs/

1. The Collector
O/o. Collector Office Campus,
Ramanathapuram District.
2. The Tahsildhar
O/o. Collector Office Campus,
Ramanathapuram District.
3. The Head Surveyor
O/o. Collector Office Campus,
Paramakudi Zone,
Ramanathapuram District.
4. The Superintendent of Police
O/o. Office of Superintendent of Police,
Ramanathapuram District.
5. The Deputy Superintendent of Police
O/o. Office of Superintendent of Police
Ramanathapuram District.



W.P.(MD)No.12175 of 2025

WEB COPY

6. The Inspector of Police
G2, Emaneswaram Police Station, Paramakudi,
Ramanathapuram District. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd Respondent to measure, demark the petitioner scheduled property in T.Survey No.4/4 Ward B Block 3 situated at Pudhu Nagar, Emaneshwaram, Paramakudi Taluk, Ramanathapuram District in the light of necessary payment paid by the petitioner with the help of the 6th Respondent to give adequate police protection till the completion of measuring the above said properties within the stipulated time and render justice.

For Petitioner	: Mr.S.Ayyapparaja
For R1 to R3	: Mr.M.Lingadurai Special Government Pleader
For R4 to R6	: Mr.S.Prakash Government Advocate (Crl.side)

ORDER

The petitioner, based on the joint purchase made under the sale deed dated 08.04.2009, has filed the present writ petition seeking issuance of a Writ of Mandamus to direct the respondents 2 & 3 to measure and demarcate the petitioner's property with the help of the police officials, who have been arrayed as respondents 4 to 6.



W.P.(MD)No.12175 of 2025

WEB COPY

2. I have heard Mr.S.Ayyapparaja, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.S.Prakash, learned Government Advocate (Crl.side) appearing for the respondents 4 to 6.

3. The learned Special Government Pleader appearing for the respondents 1 to 3, inviting my attention to the sale deed under which the petitioner purchased the property would contend that the petitioner is only one amongst two purchaser under the sale deed and there is nothing stated in the affidavit in support of the writ petition about the other purchaser. He would therefore submit that the survey can be conducted only in the event of the other purchaser being present or also giving no objection letter expressing no objection for the petitioner to proceed with survey as already requested.

4. Considering the above, the writ petition is disposed of in the following manner:-



W.P.(MD)No.12175 of 2025

WEB COPY

(i) The petitioner shall produce the no objection letters / consent affidavit from the other purchaser, Mr.Vincent Jayakumar, son of Francis, expressing no objection for the survey to be proceeded with; (ii) The petitioner shall produce the true copies of all relevant documents of title and revenue records; (iii) The petitioner shall produce all relevant documents and no objection letters in terms of clause i & ii supra, within a period of two weeks from the date of receipt of a copy of this order; (iv) On the second respondent himself satisfying about the entitlement of the petitioner for survey, considering the documents submitted in compliance of clause i & ii stated supra, the second respondent with the assistance of the third respondent, shall proceed to conduct survey and dispose of the petitioner's survey application dated 16.04.2025, within a period of twelve weeks, thereafter. (v) In the event of the second respondent requiring any police protection, the second respondent shall give advance intimation to the sixth respondent, who shall act upon such request and ensure availability of sufficient police personnel on the date of survey and shall ensure that there is no law and order problems arising. (vi) It is made clear in the event of the second respondent not satisfied with the documents furnished by the petitioner, the second



W.P.(MD)No.12175 of 2025

WEB COPY

respondent shall give reasonable time for the petitioner to produce all relevant documents as may be required by the second respondent, before passing final orders on the application. No costs.

Index : Yes / No
NCC : Yes / No
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To

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P.B. BALAJI, J.
am

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