



W.P.(MD)No.12361 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM

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

W.P.(MD)No.12361 of 2025

Mohan

: Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
Vathirayiruppu Taluk Office,
Virudhunagar District.

2.The Surveyor,
Kottaiyoor Survey Office,
Vathirayiruppu Taluk,
Virudhunagar District.

3.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.

4.Annakodi

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first and second respondents herein to survey, measure and fix the boundary stones in respect of the petitioner's family's ancestral properties comprising in Survey Nos.395/B, 397/2, 397/3, 397/6, 397/4B and 398/1B3B, 181/11A in Patta Nos.328, 859 and 446 situated at Ayardharmam Village, Suraikkaipatti, Vathirayiruppu Taluk, Virudhunagar District with necessary police protection on the basis of the petitioner's applications dated 26.02.2025 within the time stipulated by this Court.

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

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents 1 and 2 to conduct survey, measure and fix boundary stones of the petitioner's family covered by Patta Nos.328, 859 and 446 in Ayardharmam Village, Suraikkaipatti, Vathirayiruppu

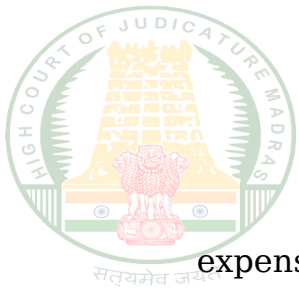


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Taluk, Virudhunagar District, with necessary police protection. The petitioner has made an application on 26.02.2025, in this regard.

2.It is seen that based on the said application, the respondents have also fixed 11.03.2025 as the date for survey. However, in view of the objection of the fourth respondent, the survey could not go on. The petitioner has, therefore, approached this Court by way of this Writ Petition.

3.Considering the fact that the patta has been mutated in the name of the petitioner's brother and mother and writ petition has been filed by their son / brother Mohan, the writ petitioner shall as a first step, obtain no objection from his brother and mother and submit the same to the first respondent within two [2] weeks from the date of receipt of a copy of this order. On such submission of the consent letter / no objection certificate from the pattathars namely, mother and brother of the petitioner, the first respondent shall fix a date for survey and shall issue advance intimation to the third respondent and fourth respondent. On the date of survey, the third respondent shall ensure availability of necessary police protection to ensure that the survey is conducted without any law and order problem arising. It is made clear that the petitioner shall bear all the



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expenses in connection with the third respondent deputing police personnel. The objections, if any, of the fourth respondent shall also be considered and disposed of by the first respondent, before proceeding to conduct survey. The above exercise shall be completed within a period of twelve [12] weeks from the date of receipt of the consent letter. In the event of any third party being found to be in possession of the subject survey numbers, under the guise of survey, the first or second respondent shall not cause any dispossession.

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

29.04.2025

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



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P.B.BALAJI., J.

MR

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