



W.P(MD)No.14048 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.05.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P(MD)No.14048 of 2025

and

W.M.P.(MD)Nos.10177 and 10178 of 2025

T.Sagapdheen

... Petitioner

Vs.

1.The Tahsildar,
Tiruchendur,
Thoothukudi.

2.The Head Surveyor,
Tiruchendur Taluk,
Thoothukudi.

3.Mohammad Nabil

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order in Na.Ka.G1/919/2025, dated.17.04.2025 and quash the same and consequently ensuring the petitioner not being dispossessed by issuing direction to forbear the 1st respondent to not to conduct survey in Survey No.179/2 at Kulasekarapattinam village, Tiruchendur Taluk, Thoothukudi District.



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For Petitioner : Mr.A.Arun Ramnath

For Respondents : Mrs.P.B.Ahamed Yasmin Parvin,
Government Advocate for R1 & R2.

ORDER

This writ petition is filed to set aside the impugned order dated 17.04.2025, which is a show cause notice for conducting survey.

2.Mohammed Nabil, the third respondent herein filed W.P.(MD)No.5670 of 2025 for conducting survey. The said writ petition was disposed of with a direction to conduct survey based on the application of the third respondent herein after giving notice to the present writ petitioner. Hence, the impugned show cause came to be issued.

3.The grievance of the writ petitioner is that the survey authority proceeds to conduct survey without considering his objections. Hence, he apprehends that the survey exercise may dispossess him from his property. A specific direction was given in the order dated 04.03.2025 that before conducting survey, notice should be sent to the interested parties including the writ petitiioer herein. The said exercise has been already undertaken by the



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survey authorities by issuing enquiry notice for fixing the date for conducting survey as 02.05.2025. I have to clarify my order dated 04.03.2025 made in W.P.(MD)No.5670 of 2025. It is made clear that the Tashildar shall consider the the objections of the parties including the writ petitioner herein. There will be no dispossession under the guise of survey. If parties are aggrieved by identification and demarcation of the boundaries at the time of conducting survey, it shall open to them to approach the competent civil Court and get relief in the pending suit.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

08.05.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1.The Tahsildar,
Tiruchendur,
Thoothukudi.

2.The Head Surveyor,
Tiruchendur Taluk,
Thoothukudi.



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P.B.BALAJI, J.

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