



W.P.(MD) No.17464 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.17464 of 2025

Lakshmi

... Petitioner

Vs.

1.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

2.The Inspector of Police,
Tirunelveli Town Police Station,
Palayamkottai,
Tirunelveli.

3.The Taluk Surveyor,
Palayamkottai Taluk,
Tirunelveli District.

4.Veerapathira Thevar

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 1 and 3 to conduct the survey with police protection for the S.No.400/63 in Melapattam Village, Palayamkottai Taluk, Tirunelveli District, based on



W.P.(MD) No.17464 of 2025

the application No.2025/N123/29/003686, dated 28.04.2025 within the
time frame stipulated by this Court.

For Petitioner : Mr.S.Kumar
For R1 & R3 : Mrs.K.Malathi
Additional Government Pleader
For R2 : Mr.M.Vaikkamkarunanithi
Government Advocate

ORDER

The petitioner herein seeks a direction to the respondents 1 and 3 to conduct survey of the property situated in Survey No.400/63, Melapattam Village, Palayamkottai Taluk, Tirunelveli District, by considering his application dated 28.04.2025.

2.Heard the arguments of Mr.S.Kumar, learned counsel appearing for the petitioner, Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents 1 and 3 and Mr.M.Vaikkamkarunanithi, learned Government Advocate appearing for the second respondent. Since no adverse order is passed against the fourth respondent, notice to the fourth respondent is dispensed with.



W.P.(MD) No.17464 of 2025

WEB COPY

3.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4.According to the petitioner, the above mentioned property was purchased by her parents, Dharmar Thevar and Nallathai Ammal, under registered sale deeds bearing Document Nos.3558 of 1973 and 1177 of 1964. After death of her parents, the petitioner and two of her sisters inherited the property. The fourth respondent attempted to encroach the property and filed a suit in O.S.No.864 of 1996, on the file of District Munsif Court, Tirunelveli, seeking mandatory and permanent injunction and the said suit was dismissed. The appeal filed by the fourth respondent in A.S.No.184 of 2002 was also dismissed. Now, the petitioner submitted an online application for survey of the subject property on 28.04.2025 in Application No.2025/N123/29/003686 and the said application has not been considered. Hence, the petitioner has come before this Court.

5.The learned Additional Government Pleader appearing for the respondents 1 and 3 would submit that the application submitted by the



W.P.(MD) No.17464 of 2025

petitioner will be considered in accordance with law.

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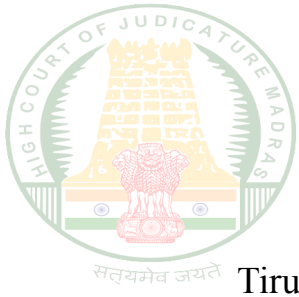
6. In view of the same, without expressing any opinion on the merits of the matter, the respondents 1 and 3 are directed to consider the online application of the petitioner dated 28.04.2025 and pass final orders on its own merits within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner, fourth respondent and other interested parties. Accordingly, this Writ Petition is disposed of. No costs.

27.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
cp

To

- 1.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
- 2.The Inspector of Police,
Tirunelveli Town Police Station,
Palayamkottai,



W.P.(MD) No.17464 of 2025

Tirunelveli.
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3.The Taluk Surveyor,
Palayamkottai Taluk,
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W.P.(MD) No.17464 of 2025

S.SOUNTHAR,J

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W.P.(MD)No.17464 of 2025

Dated: 27.06.2025