



W.P.(MD)No.16721 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.16721 of 2023

M.Seeni Mohamed

... Petitioners

Vs.

1. The Tahsildar,
Madurai South Taluk,
Madurai, Madurai District.

2. The Surveyor,
Madurai South Taluk,
Madurai, Madurai District.

3. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

4. R.Shantha

5. S.Radhakrishnan

6. S.Subramaniyan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st and 2nd Respondent to survey, measure and demarcate boundaries of the land comprised in R.S.No.390/1 situated at Ayanpappakudi Village, Madurai South Taluk, Madurai District based on the petitioner sale deed(s) dated 07.07.2008 registered Document No(s) 7436/2008, 7437/2008 and 7438/2008 on the file of the Joint No.4, SRO-Madurai along with



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necessary and proper protection by the 3rd Respondent within a time frame fixed by this Honourable Court.

For Petitioner : Ms.S.Modharshini

for Mr. S.I.Muthiah

For Respondents :Mr.K.Balasubramani

Spl. Government Pleader for R1 & R2

Mr.S.Prakash

Govt. Advocate (Crl.side) for R3

Mr.C.Gangai Amaran for R4 & R5

ORDER

By relying on three sale deeds executed on 07.07.2008 (Document Nos.7436 to 7438/2008), the petitioner had applied for survey of the land in Survey No.390/9.

2. Upon service of notice, the fourth and fifth respondents entered appearance through counsel. Because learned counsel was not present at the hearing on 28.10.2025, as a final opportunity, the matter was adjourned. At today's hearing also, the fourth and fifth respondents remain unrepresented. As regards the sixth respondent, upon noticing that service had been effected, the Registry was directed to print the name of the sixth respondent in the cause list. In spite of doing so, the sixth respondent also remains unrepresented. Therefore, the matter is



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proceeded with in their absence.

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3. Learned counsel for the petitioner submits that the fourth and fifth respondents filed O.S.No.103 of 2021 before the District Munsif Court, Madurai and that the said suit was dismissed as not pressed on 06.01.2023. Learned counsel submits further that no other suit was filed by the said respondents. She also submits that the suit in O.S.No125 of 2021, which was filed by the sixth respondent, was dismissed as withdrawn on 31.10.2022.

4. Learned Special Government Pleader submits that an inquiry would be conducted after issuing notice to the petitioner and the private respondents.

5. The order dated 06.01.2023 recording that the suit is dismissed as not pressed grants liberty to the fourth and fifth respondents to file a fresh suit. Therefore, the first and second respondent shall verify whether such suit was filed. Notice should also be issued to owners of relevant adjacent lands and objections, if any, should be considered.



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6. Subject to the above observations, this writ petition is disposed of by directing the first and second respondents to initiate an inquiry in relation to the petitioner's request for survey after issuing notice to the persons mentioned in the earlier paragraph. Objections, if any, from the said persons shall be duly considered before a decision is taken. The entire process shall become concluded within three months from the date of receipt of a copy of this order. No costs.

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NCC :No
Internet :Yes
Index :No
PKN



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To

1. The Tahsildar,
Madurai South Taluk,
Madurai, Madurai District.

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3. The Inspector of Police,
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SENTHILKUMAR RAMAMOORTHY, J.

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