



W.P(MD)NO.21030 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.21030 of 2025

V.Karuppaiah

... Petitioner

.Vs.

- 1.The District Collector,
District Collectorate Office,
Madurai.
- 2.The District Revenue Officer,
Office of the Collectorate,
Madurai.
- 3.The Assistant Director(Village Panchayath),
Office of the Collectorate Campus,
Madurai.
- 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti.
- 5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti.



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6.The Tahsildar,
Usilampatti Taluk Office,
Usilampatti.

7.The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.

8.The Block Development Officer,
Chellampatti Union Office,
Madurai District.

9.Jyothi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 4 and 6 to conduct a survey and measurement of the land comprised in S.NO.377/33, situated at Vikramangalam Village, Usilampatti Taluk, Madurai District measuring an extent of 0.00.76 sq. mts standing in the name of the 9th respondent Tmt. Jyothi, wife of Pallakku and to demarcate its boundaries with reference to the adjoining temple lands in S.Nos.377/31 and 377/32 and further to direct the respondents 5 and 7 to provide adequate Police protection to ensure peaceful conduct of the said survey and demarcation process without any obstruction.

For Petitioner : Mr.B.Narayan Ram
for Ms.T.Tamilyazhini

For Respondents : Mr.A.Baskaran
1 to 4 and 6

For Respondents :Mr.M.Vaikkam Karunanithi
5 and 7 Govt.Advocate(Crl.side)



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For Respondent-8 : M/s.K.Malathi
Addl.Govt. Pleader

For Respondent -9 :Mr.M.Suresh

ORDER

The Writ Petition is filed seeking a direction to the respondents 1 to 4 and 6 to conduct a survey of the property in S.NO.377/33, situated at Vikramangalam Village, Usilampatti Taluk, Madurai District.

2.Mr.A.Baskaran,learned Additional Government Pleader takes notice for the respondents 1 to 4 and 6, Mr.M.Vaikkam Karunanithi, learned Government Advocate(crl.side) takes notice for the respondents 5 and 7 and Mrs.K.Malathi, learned Additional Government Pleader takes notice for the eighth respondent and Mr.M.Suresh, learned counsel takes notice for the ninth respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is the case of the Petitioner that the village temple named Karuppasamy and Kamatchi Amman Temple situated in the land in S.Nos.377/31 and 377/32.The Petitioner herein



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claiming himself as Poosari of the said temple. The ninth respondent is the owner of the adjacent land situated in S.No. 377/33. The ninth respondent without conducting proper survey of the property belong to him, started construction and attempted to put up construction in the temple land. Therefore the petitioner submitted a representation before the official respondents seeking survey of the property belong to the ninth respondent. The same has not been considered till date. Hence the Petitioner is before this Court with the present Writ Petition for the relief stated supra.

4. Mr. A. Baskaran, learned Additional Government Pleader who takes notice for the respondents 1 to 4 and 6 would submit that already the 8th respondent in his proceedings in Na.Ka.No. 1063/2024, /Thi.1, dated 27.6.2025 passed an order for surveying the temple lands situated in S.Nos. 377/31 and 377/32. Further the learned Additional Government Pleader submits that the request of the Petitioner for survey of 9th respondent land cannot be done in the absence of any request by the 9th respondent.

5. The learned counsel for the 9th respondent would submit that his client is undertaking construction only in the property belonging to him in S.No. 377/33.



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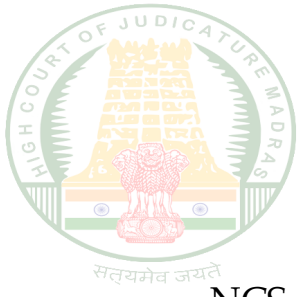
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6.The Petitioner is not the owner of the land in S.No.377/32. Therefore he is not entitled to seek survey of the property belonging to other person. The Petitioner claims himself as Poosari of the temple and no document has been produced to establish his Poosariship.

7.In these circumstances, without expressing any opinion on the merits of the matter, the 8th respondent is directed to issue public notice informing the general public in the village regarding the survey of the property in S.Nos.377/31 and 377/32, wherein, Karuppasamy and Kamatchi Amman Temple are situated. If the 8th respondent received any objection from the general public, the same shall be forwarded to the sixth respondent and the said process shall be completed within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the sixth respondent shall survey the property in S.Nos.377/31 and 377/32 in the presence of the Petitioner, ninth respondent and objectors, if any within a further period of 12 weeks therefrom.

8.With the above directions, the Writ Petition stands disposed of. No costs.

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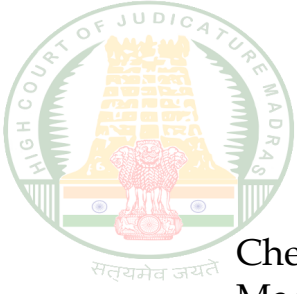
NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

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Usilampatti Taluk Office,
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- 7.The Inspector of Police,

6/8



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8.The Block Development Officer,
Chellampatti Union Office,
Madurai District.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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