



W.P.Crl.(MD)No.1032 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Writ Petition Criminal (MD) No.1032 of 2025

and

W.M.P(MD)No.268 of 2025

Raja

..Petitioner

Vs

- 1.The Superintendent of Police
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Keeranur.
- 3.The Inspector of Police,
Mathur Police Station,
Pudukkottai District.
- 4.The Sub Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District.
- 5.The Tahsildar,
Viralimaial Taluk,
Pudukkottai District.
- 6.The Taluk Surveyor,
Viralimalai Taluk,
Pudukkottai District.
- 7.Jegadesan
- 8.Aditya



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9.Kavidass

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the official respondents to enable the respondents 7 to 9 to take possession in S.No.506 of Neerpalani village under the guise of measurement of the same.

For Petitioner : Mr.P.Ganapathy Subramanian

For Respondents : Mr.E.Antony Sahaya Prabahar
Addl. Public Prosecutor
(for R1 to R4)

Mr.F.Deepak (for R5 & R6)

ORDER

The petitioner, who is employed as a Manager on a farm belonging to a retired IAS officer of the Gujarat cadre, has filed this application on behalf of his employer, claiming that his employer is the owner of the land in S.No.506 of Neerpalani Village. According to the petitioner, the private respondents have attempted to take possession of the property by removing the fence erected by him. The petitioner lodged a complaint and filed this application seeking a direction restraining Respondents 7 to 9 from taking possession of S.No.506 under the guise of measurement.



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2. The learned counsel for the petitioner, relying on certain photographs, submitted in the morning that, with the help of an advocate, the 9th respondent was attempting to encroach upon the petitioner's property. According to him, the fencing erected by the petitioner had also been forcibly removed by the revenue officials, as well as by the advocates acting along with the 9th respondent. On the basis of these averments, the counsel for the petitioner requested an urgent hearing in the afternoon, and this Court permitted the petitioner to move this application as a "lunch motion."

3. The petitioner has filed this application seeking a writ of Mandamus, restraining the official respondents from taking possession of his property in S.No.506 of Neerpalani Village. He has also sought an interim injunction restraining the respondents 7 to 9 from erecting any fencing in Survey No.506 of Neerpalani Village.

4. The learned Special Government Pleader has furnished a copy of the revenue records and submits that the land in Survey No. 506/1 stands in the name of the 9th respondent. The 9th respondent has filed an application seeking to conduct a survey and measure the boundaries of Survey No.506/1. He has also filed writ petition before this Court in W.P.(MD)No.18203 of 2025. Pursuant to this, the



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Tahsildar of Viralimalai issued a notice to all stakeholders, including the petitioner, for conducting the survey of the land in Survey No. 506/1 on 13.08.2025. Accordingly, the survey was scheduled. However, according to the learned Special Government Pleader, when the officials were present to conduct the survey, the petitioner raised objections, and as a result, the survey could not be completed. He further submits that the petitioner, as the Manager of the landowner, had received the notice dated 11.08.2025.

5. The learned counsel for the petitioner contends that the notice dated 11.08.2025 was not served on the petitioner.

6. This is purely a civil dispute. The petitioner must seek his remedy before the appropriate civil court. In the writ petition filed before this Court in W.P.(MD) No.18203 of 2025, the petitioner also has the remedy of raising his objections before the concerned revenue authorities. However, the petitioner, claiming to be the Manager of a property belonging to a retired IAS officer, has taken the law into his own hands, prevented the officials from conducting the survey, and filed the present petition, contending that the fencing erected by him was removed. The learned Additional Public Prosecutor, however, submits that no complaint has been received from the petitioner.



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7. Considering the manner in which a representative of a retired IAS officer has filed this application, this Court is inclined to dismiss the application, with liberty to seek remedy before the revenue authorities and the appropriate civil forum. Accordingly, granting such liberty, this writ petition is dismissed. Consequently, the connected miscellaneous petition is also dismissed.

18.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

- 1.The Superintendent of Police
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
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- 3.The Inspector of Police,
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- 4.The Sub Inspector of Police,
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5.The Tahsildar,
Viralimaial Taluk,
Pudukkottai District.

6.The Taluk Surveyor,
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B.PUGALENDHI, J.

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