



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.24272 of 2025

S.Chandrasekar

...Petitioner

Vs

1. The District Collector,
Collector Office,
Madurai, Madurai District.
2. The Tashildar, Taluk Office,
Melur Taluk,
Madurai District.
3. The Inspector of Police, Melur Police Station,
Melur Taluk, Madurai District.
4. Kakkan
5. Vellaiammal
6. Vimal Chandra Bose
7. Krishnaveni
8. Ayee

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to survey the petitioner's property admeasuring 35 cents situated at Survey No. 144/5, Therkkutheru Village, Melur Taluk, Madurai District with police protection from 3rd respondent within stipulated period .



WEB COPY



For Petitioner : Mr.B.Rajesh Saravanan
For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 & R2
Mr.S.Prakash
Government Pleader (crl.side)
for R3

* * * * *

ORDER

The petitioner seeks survey of the land admeasuring 35 cents in S.No. 144/5, Therkkutheru Village, Melur Taluk, Madurai District.

2.Learned Counsel for the petitioner relies on sale deed dated 30.10.1982 and the patta passbook issued to the petitioner. He submits that the respondents 4 to 8 have raised untenable objection in spite of having no title to the relevant property.

3.Learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2 and learned Government Advocate(crl.side) accepts notice on behalf of the respondent 3.



WEB COPY

4.The petitioner has placed on record sale deed dated 30.10.1982 and the patta passbook issued to him. Prima facie, there is evidence of the petitioner's entitlement to request for survey. Since there are objectors/rival claimants, it is necessary to put them on notice. In fact, learned Additional Government Pleader submits that they were put on notice and raised objections. He further submits that it is necessary to remove the Karuvelam trees on the property before such survey is conducted.

5.At this juncture, it is not possible to conclusively determine whether any civil suit has been filed by the rival claimants challenging the petitioner's title. Learned Counsel for the petitioner on instructions submits that no civil suit is pending. This aspect will have to be considered after putting the private respondents on notice pursuant to this order. In case a civil suit challenging the petitioner's title is pending, the survey shall not be undertaken.

6.Accordingly, without expressing any opinion on the merits, the first and the second respondent are directed to act on the petitioner's application dated 14.05.2025 seeking survey after putting the petitioner, the private respondents herein and any other neighbouring land owners on notice and considering



objections, if any. The entire exercise shall be completed within 12 weeks from the date of receipt of a copy of this order. No costs. If necessary, the revenue officials shall be entitled to police protection while carrying out the above exercise.

09.09.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



WEB COPY



SENTHILKUMAR RAMAMOORTHY, J.

RJR

To

1. The District Collector,
Collector Office,
Madurai, Madurai District.
2. The Tashildar, Taluk Office,
Melur Taluk,
Madurai District.
3. The Inspector of Police, Melur Police Station,
Melur Taluk, Madurai District.

W.P.(MD)No.24272 of 2025

09.09.2025