



W.P.(MD) No.24240 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.SURENDER

W.P.(MD)No.24240 of 2025

A.C.Dhurairajan

... Petitioner

Vs.

1.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

2.The Taluk Surveyor,
Viralimalai Taluk,
Pudukkottai District.

3.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

4.A.C.Selvaraj

5.A.C.Krishnan

6.Ramesh

... Respondents



W.P.(MD) No.24240 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to take necessary steps to demarcate the land and fix the four boundaries in S.No.229/1, S.Nos.227/2C1BC, 227/2C1B3A1 and 227/2C1B3C3 situated at Viralur Village, Viralimalai Taluk, Pudukkottai District belonging to the petitioner with necessary police protection, based on the petitioner's application dated 14.09.2022 and 03.09.2025 within a stipulated time in accordance with law.

For Petitioner : Mr.A.Thiyagarajan
For Respondents 1 & 2 : Mr.P.Subbaraj
Special Government Pleader
For Respondent No.3 : Mr.S.Prakash,
Government Advocate [Crl. Side]
For Respondents 4 & 6 : Mr.M.Mahaboob Athiff
For Respondent No.5 : Mr.D.Kirubakaran
for M/s.Saravanan Associates

ORDER

This Writ Petition has been filed seeking for a direction to the respondents 1 & 2 to take necessary steps to demarcate the land and fix the four boundaries in S.No.229/1, S.Nos.227/2C1BC, 227/2C1B3A1



W.P.(MD) No.24240 of 2025

and 227/2C1B3C3 situated at Viralur Village, Viralimalai Taluk, Pudukkottai District belonging to the petitioner with necessary police protection, based on the petitioner's applications dated 14.09.2022 and 03.09.2025.

2.The petitioner and the respondents 4 & 5 are brothers who have rival claim regarding their ancestral property. The petitioner has made several representations before the concerned authority for the purpose of demarcating the subject land. Earlier, the petitioner filed W.P.(MD)No. 4057 of 2019 and on the assurance given by the learned Additional Government Pleader that the survey would be conducted, the said Writ Petition came to be disposed of on 11.04.2019. It was also made clear in the said order that if any rival claim is encountered by the authorities at the time of survey, then the authorities shall relegate the parties to agitate their grievance before the Civil Court.

3.Thereafter, based on another representation, the petitioner filed CRL.O.P.(MD)No.1766 of 2020, seeking for police protection at the time of survey. When the same was taken up for hearing, it was informed by the learned Government Advocate [Crl. Side] that there exists a dispute between the petitioner and the other claimants and that an enquiry has



W.P.(MD) No.24240 of 2025

been initiated and based on the outcome of the enquiry, if necessary, police protection will be granted. The said statement of the Government Advocate was recorded and the said Criminal Original Petition came to be closed. Thereafter, the petitioner filed another petition in CRL.O.P. (MD)No.8165 of 2023, seeking police protection for fencing the petitioner's land. The said Criminal Original Petition came to be dismissed since the petitioner himself withdrew the complaint filed against the private respondent therein.

4. Even in the present Writ Petition, the petitioner seeks for a direction to the respondents to survey his land with police protection on the basis of the petitioner's applications dated 14.09.2022 and 03.09.2025.

5. At the very first instance in the year 2019 in W.P.(MD)No.24240 of 2025, this Court had made it very clear that if there are any rival claimants, the parties have to approach the Civil Court to agitate their grievance. Instead, the petitioner has been giving representations after representations to the concerned authorities and also simultaneously filing petitions before this Court.



W.P.(MD) No.24240 of 2025

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6. In view of there being rival claims, the petitioner is at liberty to approach the Civil Court as directed by this Court in W.P.(MD)No.4057 of 2019.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

[K.SURENDER, J.]

01.12.2025

MR

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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W.P.(MD) No.24240 of 2025

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W.P.(MD) No.24240 of 2025

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W.P.(MD)No.24240 of 2025

01.12.2025