



W.P.(MD)No.29627 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.29627 of 2025

Hemalatha

... Petitioner(s)

Vs.

1. The Tahsildar,
Taluk Office,
Rajasingamangalam Taluk,
Ramanathapuram District.

2. The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruppalaikudi, R.S.Mangalam T.K.,
Ramanathapuram District.

3. Kumaravalli

4. Muthumari

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, directing the respondents 1



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and 2 to survey the property of the petitioner comprised in S.No.172/1C, measuring an extent of 0.78.5 Hect in Solanthur Group, Rajasingamangalam Taluk, Ramanathapuram District, with the help of the 2nd respondent police based on the petitioner's application dated 24.04.2025.

For Petitioner : Mr.K.K.Udhayakumar

for M/s. M.Thirunavukkarasu

For Respondents :Mr.D.S.Nedunchezian

Government Advocate for R1

Mr.S.Prakash

Government Advocate (Crl. side) for R2

Mr.T.A.Ebenezer for R2 and R4

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus, directing the respondents 1 and 2 to survey the property of the petitioner comprised in S.No.172/1C, measuring an extent of 0.78.5 Hect in Solanthur Group, Rajasingamangalam Taluk, Ramanathapuram District, with the help of the second respondent police based on the petitioner's application dated 24.04.2025.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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3. Learned counsel for the petitioner submits that the grievance of the petitioner is that, although the petitioner has succeeded up to the stage of Second Appeal before this Court and thereafter sought a survey by seeking police protection, the first respondent has refused to conduct the survey, citing the pendency of a revision application in Review Appln. (MD) SR No. 38787 of 2025, filed on 24.04.2025.

4. Learned Government Advocate appearing on behalf of the first respondent submitted that the review application has been filed along with an application to condone the delay in filing the review application.

5. A perusal of the records reveals that the review application was filed only nine months ago. However, no steps have been taken to pursue the said application, nor has any restraint order been obtained in the review proceedings. In these circumstances, it is for the first respondent to consider the application of the petitioner seeking a survey. When no restraint order has been obtained from any Court, the authority shall not evade conducting the survey as sought by a party. In the present case,



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since there is no restraint imposed by any Court on conducting the survey, the same shall be carried out in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923, after issuing notice to the petitioner, respondents 3 and 4 and any other persons who may be affected and considering any objections submitted by them. The first respondent shall thereafter pass appropriate orders on merits and in accordance with law. This exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

(K.SURENDER, J)
23.01.2026

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
PKN
To

1. The Tahsildar,
Taluk Office,
Rajasingamangalam Taluk,
Ramanathapuram District.

2. The Inspector of Police,
Thiruppalaikudi Police Station,
Thiruppalaikudi, R.S.Mangalam T.K.,
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