

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-06-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.11853 of 2021

W.Jasmine Racheal @ Malliga

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Petitioner

vs.

- 1.The Additional Chief Secretary to Government
of Tamil Nadu,
Department of Revenue and Disaster Management,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner,
O/o.The Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.
- 3.The Director General of Police,
O/o.Director General of Police (Law and Order),
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.
- 4.The Additional Director General of Police (Law and Order),
O/o.Director General of Police,
No.601,Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.
- 5.The District Collector,
O/o.The District Collectorate,
Ranipet,
Ranipet District.
- 6.The Superintendent of Police,
O/o.The Superintendent of Police,
Ranipet,
Ranipet District.

7.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Arakkonam,
Ranipet District.

8.The Tahsildar,
O/o.The Arakkonam Taluk,
Arakkonam,
Arakkonam Sub Division,
Ranipet District.

9.The Head Surveyor,
Thanigaipolur Village,
Arakkonam Taluk Office,
Arakkonam,
Ranipet District.

10.The Inspector of Police,
O/o.Arakkonam Town Police Station,
Arakkonam Town,
Ranipet District.

11.The Inspector of Police,
O/o.Arakkonam Taluk Police Station,
Arakkonam Taluk,
Ranipet District.

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the eighth and ninth respondents to consider the petitioner's representation dated 28.04.2021 to conduct Land Survey pertaining to the property 2 acres and 46-1/2 cents in S.No.314 and S.No.383/2 Thanigaipolur Village and fix Survey Stones and demarcate the four boundaries and furnish Survey Report to this effect and grant patta in favour of the petitioner, if necessary with the aid of police protection force from 6th, 7th, 10th and 11th respondents at the request of 8th and 9th respondents if made as per Section 13 of the Tamil Nadu District Police Act, 1859.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Dr.S.Suriya,
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to direct the the eighth and ninth respondents to consider the representation submitted by the writ petitioner on 28.04.2021 to

conduct Land Survey pertaining to the property 2 acres and 46-1/2 cents in S.No.314 and S.No.383/2 Thanigaipolur Village and fix Survey Stones and demarcate the four boundaries and furnish Survey Report to this effect and grand patta in favour of the petitioner, if necessary with the aid of police protection.

2. The nature of relief sought for in the present writ petition is not only absurd and this Court cannot conduct a roving enquiry in respect of all such disputed facts and circumstances.

3. The petitioner seeks survey of her land and further claims that she is entitled for grant of patta. In respect of title or land survey of the property, the petitioner has to approach the Competent Civil Court of Law and only on establishing her rights, the petitioner is entitled to get the relief. However, the High Court cannot adjudicate those disputed issues with reference to the title or otherwise regarding an immovable property.

4. The petitioner claims that she is the owner of the subject property. In such circumstances, the petitioner has to establish her right by filing documents and by producing evidences before the Competent Civil Court of Law and get her remedy by following the procedures contemplated.

5. However, the relief, as such, sought for in the present writ petition, to survey the land or to grant the other relief of police protection, cannot be considered. Thus, the writ petition is devoid of merits and the same stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

Svn

To

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of Tamil Nadu,
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2.The Commissioner,

O/o.The Commissioner of Land Administration,
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Chepauk,
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3.The Director General of Police,
O/o.Director General of Police (Law and Order),
Dr.Radhakrishnan Salai,
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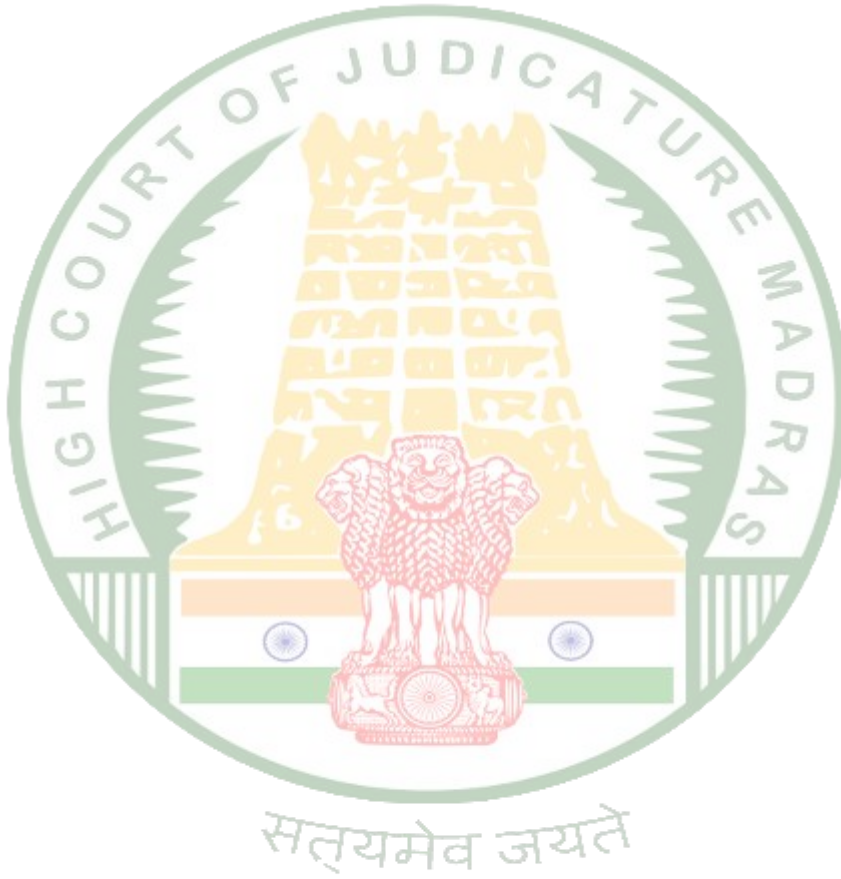


O/o.Arakkonam Taluk Police Station,
Arakkonam Taluk,
Ranipet District.

+1cc to the Government Pleader, S.R.No.27661

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RSV(CO)
SB(13/07/2021)



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