



W.P.No.30153 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.11.2022

Coram

The Honourable Mr.Justice M.DHANDAPANI

W.P.No.30153 of 2022

G.Chithra

...Petitioner

Versus

1.The Tahsildar,
Mettur Taluk,
Salem District.

2.The Inspector of Police,
Mecheri Police Station,
Salem District.

3.Govindhan

4.Selvi

5.Nanthini

6.Shanmugam

7.Kaveri

8.Suresh

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to survey & point out the field boundaries of the petitioner and her family



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property comprised in Survey Numbers 29/5B1, 29/5B2, 29/5B3 at Pottaneri Village, Mettur Taluk, Salem District to an extent of 1.04 Acres by fixing stones and subsequently, directing the second respondent to provide necessary police protection at the time of survey and setting up the fencing to the above said property in pursuant of the petitioner's representation dated 08.09.2022.

For Petitioner : Mr.C.Deepak Kumar

For Respondents – 1 & 2 : Mr.T.K.Saravanan,
Government Advocate

ORDER

Mr.T.K.Saravanan, learned Government Advocate takes notice for the respondents 1 & 2. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to direct the first respondent to survey and point out the field boundaries of the petitioner's property and her family property comprised in Survey Numbers 29/5B1, 29/5B2 & 29/5B3 situated at Pottaneri Village, Mettur Taluk, Salem District to an extent of 1.04 Acres by fixing stones and subsequently, to direct the second respondent to provide necessary police protection at the time of



survey and setting up the fencing to the above said properties in pursuant to the petitioner's representation dated 08.09.2022.

3. The case of the petitioner is that she is the owner of an agricultural land comprised in Old Survey No.29/5B and New Survey No.29/5B1 measuring to an extent of 47 cents situated at Pottaneri Village, Salem District. The patta of the said land stands in her name. Her brother-in-law and his wife owned an agricultural land comprised in Old Survey No.29/5B and New Survey No.29/5B2 & 29/5B3 measuring to a total extent of 47 cents at Pottaneri Village, Salem District. The respondents 3 to 8 are the land owners of the lands which are adjacent to the petitioner's land.

3.1. The petitioner purchased the aforesaid agricultural land in Old Survey No.29/5B and New Survey No.29/5B1 on 19.05.1999, however, the boundaries of the said land were not clearly marked by the first respondent. Hence, the petitioner made an application dated 08.04.2022 to the first respondent, requesting to survey her land by fixing boundary stones. After the receipt of said application, when the officials from the first respondent office came to the petitioner's land and tried to survey the same, respondents



3 to 8 opposed them from measuring the land and therefore, the officials left the place without surveying the land.

3.2. Therefore, the petitioner made a representation dated 08.09.2022 to the respondents 1 & 2, requesting them to survey and point out the field boundaries by fixing boundary stones in her land in Survey No.29/5B1 as well as her brother-in-law's lands in Survey Nos.29/5B2 & 29/5B3 at Pottaneri Village, Mettur Taluk, Salem District and to provide necessary police protection for restraining the respondents 3 to 8 and strangers from disturbing the survey proceedings. However, the respondents 1 & 2 have not yet considered her representation. Hence, left with no other alternative, petitioner has filed the present writ petition before this Court for the relief stated *supra*.

4. Since no adverse order is being passed against the respondents 3 to 8, notice to the respondents 3 to 8 is dispensed with.

5. Heard the learned counsel on both sides and perused the materials placed before this Court.



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6. Considering the limited relief sought by the petitioner in this writ petition, this Court without going into the merits of the case, directs the respondents 1 & 2 to consider the petitioner's representation dated 08.09.2022 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

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mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

Copy to

- 1.The Tahsildar,
Mettur Taluk,
Salem District.
- 2.The Inspector of Police,
Mecheri Police Station,
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M.DHANDAPANI, J.

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