



W.P.No.24756 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24756 of 2023

A.Maniyammal

...Petitioner

-Vs-

1.The District Collector,
O/o.the District Collector,
Cuddalore District.

2.The Thasildar,
Tittakudi Taluk,
Cuddalore District.

3.The Land Surveyor,
O/o.the Land Surveyor,
Tittakudi Taluk,
Cuddalore District.

4.The Superintendent of Police,
O/o.the Superintendent of Police,
Cuddalore District.

5.The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents by considering the petitioner's representation dated 13.07.2023 and 24.07.2023 to measure, demark the boundaries of the petitioner's property in Survey Numbers.65/7C and 65/8D of a total extent of 27.17 ares which is situated at Tholudhur Village, Tittakudi Taluk, Cuddalore District with the help of the 5th respondent to give adequate police protection till the completion of measuring the above said property within a stipulated time.

For Petitioner : Mr.D.Ashok Kumar

For R1 to R3 : Mr.P.Sanjay Gandhi,
Government Advocate

For R4 & R5 : Mr.S.Vinoth Kumar
Government Advocate(Crl. Side)

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representations submitted by the petitioner dated 13.07.2023 and 24.07.2023 to measure and demarcate the boundaries of the petitioner's property in Survey Nos.65/7C and 65/8D of a total extent of 27.17 ares situated at Tholudhur Village, Tittakudi Taluk, Cuddalore District and to provide police protection.



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2. The petitioner claims that she is the absolute owner of the property described in the present writ petition. The petitioner submitted an application to survey the property. Smt.Dhanam, W/o.Selvarasu and Smt.Sumathi, W/o.Suresh raised objections for conducting survey by the Government surveyors. The said two persons are preventing the Government surveyors from conducting survey in the property belonging to the petitioner.

3. The provisions of the Survey and Boundaries Act cannot be utilized for the purpose of resolving the private dispute between the parties. The Act has been utilized only for the purpose of maintenance of revenue records by the Government and certainly not to resolve the civil dispute between the parties. In the event of any objection, the Government surveyor may not be in a position to conduct survey and in those circumstances, the parties are to be relegated to approach the Civil Court of law for the purpose of conducting survey or to establish their title as the case maybe.



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4. The writ petitioner herself admitted that there is an objection from Smt.Dhanam, W/o.Selvarasu and Smt.Sumathi, W/o.Suresh. However, those persons have not been impleaded as parties in the present writ petition. This being the factum, the petitioner is at liberty to approach the competent Civil Court of law for redressal of her grievances.

5. With the above observations, the Writ Petition stands dismissed. No costs.

23.08.2023

Index:Yes
Speaking order
Neutral Citation:Yes
rjr/hvk



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S.M.SUBRAMANIAM, J.

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