



W.P.No.28801 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.28801 of 2023

and

W.M.P.Nos.28404, 28405 & 28406 of 2023

1. Balaji

2. Amarnath

... Petitioners

Vs.

1. The State Represented by,
The District Collector,
O/o The District Collector,
Ranipet District.

2. The District Revenue Officer,
O/o The District Revenue Office,
Ranipet District.

3. The Superintendent of Police,
O/o The Superintendent of Police,
Ranipet District.

4. The Assistant Director of Survey and land Record,
Walajapet Taluk,
Ranipet District.

5. The Head Surveyor,



W.P.No.28801 of 2023

Walachapet Taluk Office,
Ranipet District.

6. The Inspector of Police,
Walachapet Police Station,
Ranipet,
Ranipet District.

7. Pitchaimani,
Panchayat President,
Thenkadappanthangal village,
Walachapet Taluk,
Ranipet District.

8. Srinivasan ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to pass an order or direction or writ, more particularly Writ of Mandamus to direct the respondents 4 to 5 to survey the land by taking police protection from the 2nd respondent pursuant to the petitioner's request vide e-challan dated 14.08.2023 in Challan No.20230814004004 in respect of the property at Survey No.213, Patta No.468 in Thenkadappanthangal Village, Wallajah Taluk, Ranipet District.

For Petitioners : Mr.R.Thirumoorthy

For R1,R2, R4& R5: Mr.Yogesh Kannadasan,
Special Government Pleader

For R3 and R6 : Mr.Sugendran
Additional Public Prosecutor



W.P.No.28801 of 2023

ORDER

The petitioners have come forward with this writ petition praying for issuance of Writ of Mandamus, to direct the respondents 4 and 5, to survey their land by taking police protection from the 2nd respondent, pursuant to the petitioners' request vide e-challan dated 14.08.2023 in Challan No.20230814004004 in respect of the property at Survey No.213, Patta No.468 in Thenkadapanthangal Village, Wallajah Taluk, Ranipet District.

2. Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for R1, R2, R4 and R5 and the learned Additional Public Prosecutor appearing for R3 and R6.

3. The second petitioner made a representation on 14.08.2023 before the fourth respondent to survey his land. Till now, the petitioners have not received any response from the fourth respondent, as to whether the land would be surveyed or when it would be surveyed. Hence the petitioners have filed the present writ petition seeking appropriate direction.



W.P.No.28801 of 2023

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4. It is submitted by the learned Special Government Pleader appearing for the official respondents that due to shortage of surveyors in the Survey Department, they are unable to consider the representation well within the time.

5. This Court can understand the difficulties which are facing by the Revenue Department. But, the petitioners have the right to get the response from the Revenue Department with regard to their representation, as to whether the land would be surveyed or when it would be surveyed. The Revenue Department has not sent any communication to the writ petitioners with regard to their representation.

6. In view of the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, this Court directs the fifth respondent to consider the petitioners' representation and complete the work in accordance with law preferably within a period of one month from the date of receipt of a copy of this



W.P.No.28801 of 2023

WEB COPY

order. If the Revenue authority/Survey Department feels that the police protection is necessary, they can seek assistance of the sixth respondent police and on such request made by the Revenue Authority, the sixth respondent shall extend their fullest cooperation for the peaceful completion of work.

7. With the abovesaid directions, the Writ Petition is disposed of. W.M.P.Nos.28404 of 2023 is ordered subject to the payment of necessary court fees by each of the petitioners. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

05.10.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



W.P.No.28801 of 2023

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WEB COPY

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WEB COPY



W.P.No.28801 of 2023

P.VELMURUGAN, J.

mfa

W.P.No.28801 of 2023
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