



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

W.P. No.33562 of 2023

Jayanthi

... Petitioner

Vs.

1. The Tahsildar  
Uthangarai Taluk  
Krishnagiri
2. The Taluk Surveyor  
Uthangarai Taluk  
Dharmapuri District
3. The Inspector of Police  
Singarapettai Police Station  
Krishnagiri District

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to survey the land with the aid of 3rd respondent and fix the boundaries in Survey S.No.36/2B to the extent of 0-13.50 hectare situates at Andiyur Village, Uthangarai Taluk, Krishnagiri District within the time frame fixed by this Court.



For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Gurunathan  
Additional Government Pleader  
for R1 and R2  
Mr.S.Sugendran  
Additional Public Prosecutor for R3

### **ORDER**

The writ petition is filed seeking to issue a writ of mandamus directing the respondents 1 and 2 to survey the land with the aid of 3rd respondent and fix the boundaries in Survey S.No.36/2B to the extent of 0-13.50 hectare situates at Andiyur Village, Uthangarai Taluk, Krishnagiri District, within the time frame as may be fixed by this Court.

2. The learned counsel for the petitioner submitted that the petitioner has made an application dated 18.05.2023 to survey his land and he has also paid the E-Challan on 18.06.2023. Hence, a direction may be issued to the respondents 1 and 2 to conduct survey based on the petitioner's application, with the aid of the 3rd respondent/police.



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3. It is made clear that the petitioner has no business to seek the help of police to give protection during surveying of his land by the revenue authorities. It is for the revenue authorities/Taluk Surveyor to take of their official duty. Therefore, the prayer sought for in the writ petition against the 3rd respondent is not maintainable. Accordingly, the writ petition is dismissed as against the 3rd respondent/police.

4. However, taking into consideration the limited prayer sought for by the petitioner and having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, this Court directs the respondents 1 and 2 to consider the petitioner's application/E-challan dated 18.06.2023 and conduct survey and pass orders on merits and in accordance with law, after giving notice and opportunity of hearing to the petitioner, adjacent land owners of the 4 boundaries of the said land and interested parties/rival claimants if any, within a period of two months from the date of receipt of a copy of this order.



5. With the above directions, this Writ Petition is disposed of at

the admission stage itself as against the respondents 1 and 2 are concerned.

There shall be no order as to costs.

01.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The Tahsildar  
Uthangarai Taluk  
Krishnagiri

2. The Taluk Surveyor  
Uthangarai Taluk  
Dharmapuri District

3. The Inspector of Police  
Singarapettai Police Station  
Krishnagiri District



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**P.VELMURUGAN. J.**

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