



W.P.No.33315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.33315 of 2023

P.V.Srinivasan

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Tashildar,
Palacode Taluk Office,
Palacode,
Dharmapuri District.
3. The Assistant Director,
The District Land Survey Department,
Dharmapuri – 5.
4. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
5. The Inspector of Police,
Palacode Police Station,
Palacode.

6. Murugan

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to conduct the re-survey of the petitioner's land situated in Survey Nos.85/1A, 85/2, 86/1A, 87/4, 88 & 87/1 in a extent of 2 acres and 56 cents situated at Jerthalav village, Palacode Taluk, Dharmapuri District by demarcate its boundaries on laying corner stones with the help of police protection by the respondents 4 and 5, pursuant to the petitioner's representation dated 19.09.2023 made to the respondents 1,2,4 and 5 within the time frame.

For Petitioner	: Mr.S.Srinivasan
For R1 to R3	: Mr.P.Gurunathan Additional Government Pleader
For R4 & R5	: Mr.N.Muthuvel Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents 1 and 2 to re-survey the petitioner's land, pursuant to the petitioner's representation dated 19.09.2023.



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2. Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for the official respondents 1 to 3 and the learned Government Advocate (Criminal Side) appearing for the respondents 4 & 5.

3. Since there is no adverse order passed as against the sixth respondent, notice to the sixth respondent is dispensed with.

4. With regard to the prayer seeking police protection is concerned, the petitioner is not entitled to the same. The petitioner is at liberty to work out his remedy in the manner known to law and not by way of this writ petition. Accordingly, the Writ Petition is dismissed as far as the respondents 4 and 5 are concerned.

5. In the light of the limited scope of prayer sought for in this writ petition and the submissions of the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner's representation dated 19.09.2023, after



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issuing notice to the petitioner, sixth respondent, adjacent land owners and interested parties/rival claimants if any, as the case may be and conduct enquiry and pass appropriate orders on merits and in accordance with law. The abovesaid exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

6. With the abovesaid direction, the writ petition is disposed of.

There shall be no order as to costs.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.

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