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W.P. No.6426 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6426 of 2024

M.Murugan

... Petitioner

Vs.

1. The Assistant Director of Survey
and Land Records Department
Thiruvannamalai District, Thiruvannamalai

2. The Tahsildar
Kalasapakkam Taluk
Thiruvannamalai District

3. The Inspector of Police
Kadaladi Police Station
Thiruvannamalai District, Thiruvannamalai

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to survey the property comprised in Survey No.75/4, 65-Mattavettu Village, Kalasapakkam Village, Thiruvannamalai District, to an extent of 0.48.5 Hectare and to measure and fix the boundaries with the aid and protection of the 2nd respondent pursuant to the petitioner's representation dated 06.02.2024.



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For Petitioner : Mr.K.Thenrajan
For R1 and R2 : Mr.T.Arun Kumar
Additional Government Pleader
For R3 : Mr. S.Sugendran
Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 1st respondent to survey the property comprised in Survey No.75/4, 65-Mattavettu Village, Kalasapakkam Village, Thiruvannamalai District, to an extent of 0.48.5 Hectare and to measure and fix the boundaries with the aid and protection of the 2nd respondent pursuant to the petitioner's representation dated 06.02.2024.

2. The case of the petitioner is that he made a representation dated 06.02.2024 to survey his land and also paid the requisite fees on 07.02.2024, vide Challan No.20230303007103. But the same has not been considered so far. Hence, the present Writ Petition is filed.



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3. Mr. T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents 1 and 2. Mr.S.Sugendrna, learned Additional Public Prosecutor takes notice for the 3rd respondent/Police.

4. The present Writ Petition is filed only to survey the land. However, since the 3rd respondent/Police is impleaded unnecessarily, the Writ Petition is dismissed as against the 3rd respondent/Police with costs of Rs.10,000/- (Rupees ten thousand only).

5. Having regard to the submissions made by the learned counsel on either side and since the Writ Petition is filed seeking to issue a simple Writ of Mandamus to survey the land, this Court, without expressing any opinion with regard to the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 06.02.2024 and issue notice



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to the petitioner, adjacent land owners of the four boundaries of the subject property, interested parties/rival claimants/aggrieved parties/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law. All the said exercise shall be completed within the time as stipulated in the circular No.R1/2005632/2022 dated 17.07.2023 issued by the Commissioner of Land Administration Department, from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of at the admission stage itself insofar as the respondents 1 and 2 are concerned. No costs.

7. As stated above, the Writ Petition is dismissed as against the 3rd respondent/Police with costs of Rs.10,000/-. The petitioner is directed to



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pay the said costs of Rs.10,000/- to the credit of Chief Minister's Relief

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Fund.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

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To

1. The Assistant Director of Survey
and Land Records Department
Thiruvannamalai District, Thiruvannamalai
2. The Tahsildar
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Thiruvannamalai District
3. The Inspector of Police
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P.VELMURUGAN. J.

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