



W.P.No. 7560 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 7560 of 2024

Inbakumar

... Petitioner

versus

1.The District Collector,
O/o.District Collector,
Thiruvallur District – 602 001.

2.The Tahsildar,
Ponneri Taluk,
Thiruvallur District – 601 204.

3.Commissioner of Police,
O/o.Avadi Police Commissionerate,
Chennai – 600 054.

4.Inspector of Police,
M4 Police Station,
Redhills, Chennai – 52.

... Respondents

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Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent through the first respondent to measure the property in Athivakkam Village, New Survey No. 40/2A1A2 in Sri Kamatchi Amman Nagar, Plot No.62 to an extent of 1800 sq.ft and lay boundary corner stones, with the help of Surveyor to measure the property and also direct the fourth respondent through the third respondent to provide adequate police protection during the process of survey and laying of boundary stones.

For Petitioner : Mr.S.Xavir Felix

For Respondents : Mr.A.Selvendran
Special Government Pleader for R1 and R2

Mr.S.Sugendran
Additional Public Prosecutor for R3 and R4

ORDER

Mr.A.Selvendran, learned Special Government Pleader accepts notice for respondents 1 and 2 and Mr.S.Sugendran, learned Additional Public Prosecutor appears behalf of respondents 3 and 4.

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2. As this Court is of the view that respondents 3 and 4 are not necessary parties, this Writ Petition is dismissed as against the respondents 3 and 4.

3. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the second respondent through the first respondent to measure the property in Athivakkam Village, New Survey No. 40/2A1A2 in Sri Kamatchi Amman Nagar, Plot No.62 to an extent of 1800 sq.ft and lay boundary corner stones, with the help of Surveyor and also direct the fourth respondent through the third respondent to provide adequate police protection during the process of survey and laying of boundary stones.

4. The learned Additional Government Pleader appearing for respondents 1 and 2, on instructions, submitted that when the second respondent made an attempt to measure the subject land, some objections have been raised by the villagers stating that in the layout the subject land



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was earmarked as OSR land and the villagers are utilising the same as play ground. Hence, the second respondent is not in a position to measure the said land.

5. It is seen that since there is a title dispute, the petitioner has to approach the competent Civil Court for appropriate remedy as the Revenue Officials or the Writ Court have no authority to decide the title of the property. Therefore, this writ petition is not maintainable. However, the petitioner is at liberty to work out his remedy before the competent Civil Court.

6. In view of the above, the writ petition is dismissed. There shall be no order as to costs.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

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