



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.13576 of 2024

P.Ramasamy

...

Petitioner

versus

1.The Tahsildar,
Chinnasalem Taluk Office,
Kallakurichi District.

2.The Surveyor,
Chinnasalem Taluk Office,
Kallakurichi District.

3.The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.

4.The Sub-Inspector of Police,
Keezhkuppam Police Station,
Kallakurichi District.

5.Pazhaniyammal

6.Ramachandran

7.Thirumalai

8.Selvakumar

...

Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to survey the petitioner's land in Survey Nos.257/2C1 & 257/6 situated in Thottapadi Village, Chinnasalem Taluk, Kallakurichi District based on E-Challan dated 04.11.2023 and 23.11.2023 with the help of the 3rd & 4th respondents Police based on the representation dated 04.05.2024.

For Petitioner	:	Mr.G.Balamanikandan
For Respondent Nos.1 & 2	:	Mr.P.Sathish Additional Government Pleader
For Respondent Nos.3 & 4	:	Mr.S.Sugendran Additional Public Prosecutor

ORDER

This Writ Petition is filed to direct the second respondent to survey the petitioner's land viz., Survey Nos.257/2C1 and 257/6, situated at Thottapadi Village, Chinnasalem Taluk, Kallakurichi District, based on E-Challan dated 04.11.2023 and 23.11.2023 with the help of the respondents 3 and 4, by considering the petitioner's representation dated 04.05.2024.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 and



the learned Additional Public Prosecutor for the respondents 3 and 4 and perused the materials available on record.

3. The case of the petitioner is that the property in Survey Nos.257/2C1 and 257/6 is the ancestral property and the petitioner has got patta in his favour and he is in peaceful possession and enjoyment of the same. It is the grievance of the petitioner that he has given applications on 04.11.2023 and 23.11.2023 to survey the said property with the help of the respondents 3 and 4. However, the same has not been considered by the second respondent.

4. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the second respondent to consider the applications of the petitioner dated 04.11.2023 and 23.11.2023 and pass appropriate orders, for survey of the property, within a period of two months from the date of receipt of a copy of this order. However, the police protection is declined and let the authorities issue notice to the respondents 5 to 8 and thereafter, conduct the survey in the presence of the private respondents.



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5. With the above direction, this Writ Petition is disposed of. No costs.

12.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

- 1.The Tahsildar,
Chinnasalem Taluk Office,
Kallakurichi District.
- 2.The Surveyor,
Chinnasalem Taluk Office,
Kallakurichi District.
- 3.The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
- 4.The Sub-Inspector of Police,
Keezhkuppam Police Station,
Kallakurichi District.

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N.SATHISH KUMAR, J.

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