



WEB COPY



W.P.No.23024 of 2024

T IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23024 of 2024

S.Yogeeswaran

... Petitioner

vs.

1.The District Collector,
Namakkal District,
1st Floor, Collectorate,
Tiruchengode Road,
Namakkal – 637 003.

2.Assistant Director (Survey)
Namakkal,
Namakkal District Collectorate,
Tiruchengode Road,
Namakkal – 637 003.

3.Head Surveyor,
Sendhamangalam Taluk Office,
Namakkal District.

4.The Inspector of Police,
Nelukurichi Police Station,
Sendhamangalam Taluk Office,
Namakkal District.

5.M.V.Arul
6.S.Sivasaravanan

... Respondents



W.P.No.23024 of 2024

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd respondent to survey the pathway measuring 15 cents, comprised in S.No.108/4, situated in Uthirakidikaval Village of Sendhamangalam Taluk Office, Namakkal District and to lay survey stones thereto and also to provide police protection while the petitioner erect fence in the borders of his land.

For Petitioner : Mr.S.P.Chockalingam

For Respondents : Mr.D.Gopal
Government Advocate
for R1 to R3
Mr.S.Sugendran
Additional Public Prosecutor for R4

ORDER

The petitioner seeks a direction to the 3rd respondent to survey the pathway measuring 15 cents, comprised in S.No.108/4, situated in Uthirakidikaval Village of Sendhamangalam Taluk Office, Namakkal District.

2. It is the case of the petitioner that he owns agricultural land measuring 3.23 acres, comprised in S.No.104/1. The land measuring an



W.P.No.23024 of 2024

extent of 15 cents comprised in S.No.108/4 is a pathway to access the petitioner's land and also the respondents 1 and 6. The petitioner submitted an application on 07.06.2024 seeking survey of the land situated in S.No.108/4. The receipt issued to the petitioner dated 07.06.2024 would indicate that he paid necessary charges for the survey of the land.

3. Mr.D.Gopal, learned Government Advocate appearing for the respondents 1 to 3 would submit that the application of the petitioner for survey of the land would be considered on its own merits, after hearing rival parties namely respondents 5 and 6.

4. In view of the same, without going into the merits of the matter, this Court is inclined to issue direction to the 3rd respondent to consider the application submitted by the petitioner dated 07.06.2024 for survey of land in S.No.108/4 and pass final orders within a period of six weeks from the date of receipt of a copy of this order, after issuing necessary notice to the respondents 5 and 6.

5. Accordingly, this writ petition is disposed of. No costs.



W.P.No.23024 of 2024

13.08.2024

WEB COPY

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

ub

To

1.The District Collector,

4/6



W.P.No.23024 of 2024

Namakkal District,
1st Floor, Collectorate,
Tiruchengode Road,
Namakkal – 637 003.

2.Assistant Director (Survey)
Namakkal,
Namakkal District Collectorate,
Tiruchengode Road,
Namakkal – 637 003.

3.Head Surveyor,
Sendhamangalam Taluk Office,
Namakkal District.

4.The Inspector of Police,
Nelukurichi Police Station,
Sendhamangalam Taluk Office,
Namakkal District.

S.SOUNTHAR, J.

ub



WEB COPY



W.P.No.23024 of 2024

W.P.No.23024 of 2024

13.08.2024