



WP.No.34069 of 2024

In the High Court of Judicature at Madras

Dated : 21.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34069 of 2024

A.Dinesh

...Petitioner

Vs

1.The Tahsildar, Kurinjpadi
Taluk, Cuddalore District.

2.The Inspector of Police,
Vadalur Police Station,
Cuddalore District.

3.R.Bakkiyaraj
4.J.Prabhakaran

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to survey the petitioner's land in survey No.150/52 with a total extent of 00408 square feet situated at Karunguzhi Village, Kurinjpadi Taluk, Cuddalore District based on the petitioner's representation dated 22.7.2024 and also direct the second respondent to give protection during the survey of the land.

For Petitioner	:	Mr.K.Anbuselvan
For R1	:	Mr.P.Sathish, AGP
For R2	:	Mr.R.Vinoth Raja, GA (Crl.Side)



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ORDER

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Seeking a direction to the first respondent to consider his representation dated 22.7.2024 to conduct a survey in respect of the land in survey No.150/52 with a total extent of 00408 square meters situated at Karunguzhi Village, Kurinjipadi Taluk, Cuddalore District and a direction to the second respondent to give police protection during the survey, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader accepting notice for the first respondent and the learned Government Advocate accepting notice for the second respondent.

3. The petitioner would contend that he is the absolute owner of the said property. He acquired the said property by way of a sale deed dated 22.9.2021 vide Doc.No.3262 of 2021 on the file of the Sub-Registrar, Vadalur. As there had been some intervention by respondents 3 and 4, the petitioner sent a representation dated 22.7.2024 to the first respondent seeking to conduct a survey in respect of the said property. As it did not evoke any response, the petitioner is before this Court.



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4. As seen from the copy of the document enclosed along with the affidavit filed in support of the writ petition, the said property belongs to the petitioner. Hence, the petitioner requested the first respondent to conduct a survey by sending the representation dated 22.7.2024.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to conduct a survey of the said property. The petitioner shall submit all the relevant records to show his title to the said property and the first respondent shall, after issuing notice to respondents 3 and 4 and other interested parties, hold an enquiry and thereafter pass orders either surveying and subdividing the property or rejecting the request. If there is any disturbance while conducting the survey, the first respondent may approach the second respondent for necessary police protection. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. It is made clear that in the case of rejection, a speaking order shall be passed by the first respondent. No costs.

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P.T.ASHA,J

RS

To

1.The Tahsildar, Kurinjipadi
Taluk, Cuddalore District.

2.The Inspector of Police,
Vadalur Police Station,
Cuddalore District.

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