



W.P.No.28222 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 27.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.28222 of 2024

A.Ramasamy

... Petitioner

VS.

1.The Taluk Tashildar,
Office of the Taluk Tashildar,
Coimbatore North
Coimbatore.

2.The Taluk Head Surveyor
Office of the Taluk Tashildar,
Coimbatore North
Coimbatore.

3.The Inspector of Police,
E-2 Police Station,
Peelamedu,
Coimbatore City.

4.K.Ganapathy

5.G.Raghupathy

6.G.Ranganathan

7.A.Sundaram

8.S.Geetha

9.S.Uma

1/6



W.P.No.28222 of 2024

10.S.Selvi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd Respondents to act upon the Petitioner's application dated 25.11.2021 and conduct the survey of the subject property being land extent of 3.60 cents or 1.46 ares in Survey No.735/5B in Kalapatti Village, Coimbatore North, Coimbatore District and demarcate the boundaries by availing the assistance of the 3rd Respondent in the event of any obstruction from the Private Respondents, within a time period to be stipulated by this Court.

For Petitioner : Ms.U.Ramya
for M/s.R.Bharath Kumar

For R1 and R2 : Mr.P.Sathish
Additional Government Pleader

For R3 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 3, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents 1 and 2 to act upon the petitioner's application dated 25.11.2021 seeking survey his



W.P.No.28222 of 2024

property with an extent of 3 acres 60 cents situated in Survey No.735/5B, Kalapatti Village, Coimbatore North, Coimbatore District.

3. It is the case of the petitioner that he has been in possession and enjoyment of the above mentioned property for very long time and revenue documents also stands in his name in Patta No.4260. The petitioner submitted an application seeking survey of the land on 25.11.2021 and the survey of the subject land was resisted by the private respondents. Therefore, the Official Respondents are prevented from undertaking survey of the above mentioned land as per the application submitted by the petitioner.

4. The learned counsel appearing for the petitioner also drawn the attention of this Court to the judgment passed by this Court in S.A.No.721 of 1997, wherein dismissal of the suit filed by the 4th respondent herein was confirmed by this Court. Therefore, it is the contention of the learned counsel for the petitioner that the private respondents having failed to establish their right before the Civil Court, are not entitled to resist the request of the petitioner for survey of the land.



W.P.No.28222 of 2024

5. Mr.P.Sathish, learned Additional Government Pleader, who is taking notice for the respondents 1 and 2 would submit that the application of the petitioner dated 25.11.2021 will be considered by the 1st respondent on its own merit, after issuing notice to the private respondents, within the time fixed by this Court.

6. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 1st respondent to consider the application of the petitioner dated 25.11.2021 and pass final orders on its own merit and in accordance with law, after issuing necessary notice to the private respondents 4 to 10, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands disposed of. No costs.

27.09.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



W.P.No.28222 of 2024

To

WEB COPY

- 1.The Taluk Tashildar,
Office of the Taluk Tashildar,
Coimbatore North
Coimbatore.
- 2.The Taluk Head Surveyor
Office of the Taluk Tashildar,
Coimbatore North
Coimbatore.
- 3.The Inspector of Police,
E-2 Police Station,
Peelamedu,
Coimbatore City.



WEB COPY



W.P.No.28222 of 2024

S.SOUNTHAR, J.

dm

W.P.No.28222 of 2024

27.09.2024