



W.P.No.32261 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.32261 of 2024

Sellamuthu

... Petitioner

Vs.

1. The District Collector,
Kallakurichi District.
2. The Tahsildar,
Chinnasalem Taluk,
Chinnasalem,
Kallakurichi District.
3. The Head Surveyor,
Chinnasalem Taluk Office,
Kallakurichi District.
4. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 2nd to 4th Respondents to dispose of the application E-Challan No.20240321009082 filed by the Petitioner dated 21.03.2024 by survey the petitioner land and measure his



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property and fix boundaries in Survey No.230/5A, 5D, 5E in Rayappanur Village in Chinnasalem Taluk, Kallakurichi District.

For Petitioner : Mr.S.Ramajayam

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

This Writ Petition has been filed for a Mandamus to direct the Respondents 2 to 4 to survey the property in Survey No.230/5A, 5D, 5E in Rayappanur Village, Chinnasalem Taluk, Kallakurichi District.

2. Mr.R.P.Murugan Raja, takes notice on behalf of the Respondents.

3. A brief facts of the case is that the Petitioner was allotted an agricultural land in Survey No.230/5A, 5D, 5E by way of a Partition Deed under Document No.3986 of 2016 dated 04.10.2016. While so, when the Petitioner decided to survey the said land which was allotted to him, the neighbours of the Petitioner with a malafide intention had restrained the Petitioner from surveying the said land stating that the Petitioner has no rights over the said land.



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4. The learned counsel for the Petitioner would submit that the Petitioner has approached and made several representations before the Respondents 2 & 3 to survey the properties, for which the Petitioners have also paid the necessary fees. However, no steps have been taken by the Respondents 2 & 3 for conducting a survey in the said land.

5. Heard the learned counsel on either side.

6. Considering the request of the Petitioner and also the fact that the Petitioner has made a representation, a mandamus is issued to the Respondents to conduct survey and subdivision of the petition mentioned properties. The Petitioner shall submit all the relevant records to show their title to the properties and the Respondents shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this Order.



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7. With the above directions, these Writ Petitions are allowed. No

costs.

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Index : Yes/No

Speaking/Non-speaking Order

Neutral Citation :Yes/No

rgm



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To
WEB COPY

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P.T.ASHA, J.

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