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W.P.No.33608 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**W.P.No.33608 of 2024**

M.Iyyannan

... Petitioner

**Vs.**

1.District Revenue Officer  
District Revenue Office,  
Kottai Main Road, Salem District, Salem-636 001.

2.The Tahsildar  
Tahsildar Office,  
Omalur Taluk, Salem District, Salem-636 455

3.The Firkha Surveyor  
Tharamangalam Firkha Surveyor Office,  
Omalur Tahsidlar Office,  
Omalur Taluk, Salem District, Salem-636 455.

4.The Police Inspector  
Tharamangalam Police Station,  
Tharamangalam Circle,  
Omalur Taluk, Salem District-636 502.

5.Shekar

6.Govindan

7.Kumar (Alias) Palanivel

...Respondents



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**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 3rd respondent to measure the property of the petitioner as requested by him in application dated 7/11/22 to the 2nd respondent and paid Rs.800/- to the department bearing Challan No.20221105000822 dated 5/11/22 and further direct the 4th respondent to provide police protection to the petitioner and the officials measuring the property of the petitioner.

For Petitioner : M/s.R.Rajesh Kumar

For Respondents : M/s.A.Selvendran Spl. GP.  
for R.1 to R.3

: M/s.R.Vinothraja, Govt. Advocate  
(Crl.Side) for R.4.

### **ORDER**

The Writ Petition is filed for the following reliefs:-

*" To direct the 3rd respondent to measure the property of the petitioner as requested by him in application dated 07/11/22 to the 2nd respondent and paid Rs.800/- to the department bearing Challan No.20221105000822 dated 05/11/22 and further direct the 4th respondent to provide police protection to the petitioner and the officials measuring the property of the petitioner."*



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2. The petitioner owns lands in S.No.325, Desa Vilakku [North] Village, Thaaramangalam Sub registered District Salem West, measuring an extent of 82 1/2 cents, within specified boundaries. The petitioner had submitted an application on 07.11.2022 for measuring his land. However, the 3<sup>rd</sup> respondent has failed to conduct the survey. On a complaint given by the petitioner to the Chief Minister's cell, the 4<sup>th</sup> respondent had conducted an enquiry but however proceeded to close the petition on the ground that a suit O.S.No.197 of 2020 was filed by the petitioner which is pending and had advised the petitioner to approach the Revenue Department.

3. The petitioner would submit that respondents 5 to 7 who have political clout are influencing respondents 1 to 4 not to conduct the survey. The petitioner would submit that these respondents want to convert the agricultural land into plots and sell the same and since attempts to purchase the property from the petitioner had failed, they are using these clandestine methods. Therefore, the petitioner is before this Court.

4. Heard the counsels on either side.



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5. Considering the request of the petitioner and also the fact that the petitioner has submitted his application as early as on 07.11.2022, a mandamus is issued to the 3rd respondent to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the 3rd respondent shall, after issuing notice to the adjacent land owners and interested parties, specifically respondents 5 to 7, consider their objections, 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. In case, the petitioner or respondents 1 to 3 require the assistance of police authority, the jurisdictional police shall give necessary protection as and when asked for. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is allowed. No costs.

**19.11.2024**

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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**P.T. ASHA. J.,**

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