



W.P.No. 35780 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 35780 of 2024

Raja

...Petitioner

Vs.

1.The Deputy Superintendent of Police
Mettur Sub-Division, Salem District.

2.The Tahsildar
Mettur Taluk,
Salem District.

3.The Inspector of Police
Mettur Police Station, Salem District.

4.Krishnan

5.Vimal

6.Vattamalai

7.Chinathambi



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8.Madesh

9.Kumar

10.Murugan

11.Selvi

12.Gunasekaran

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 2nd respondent to survey and point out the field boundaries of the petitioner's property compressed in Old Survey No.70/3B, New Survey No. 70/3B2 at Mecheri Village, Mettur taluk, Salem District to an extent of 75 cents by fixing stones with Police aid at the time of survey and setting up the fencing to the petitioner's above said property in pursuance of petitioner's representation dated 06.11.2024.

For Petitioner : Mr. C.Deepak Kumar

For Respondents : Mr. R.Vinoth Raja
1 & 3 Government Advocate (Crl. Side)

For Respondent 2 : Mr. E.Bala Murugan.
Government Advocate.



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ORDER

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The Writ Petition is filed for the following relief:

“ To direct the 2nd respondent to survey and point out the field boundaries of the petitioner's property compressed in Old Survey No.70/3B, New Survey No. 70/3B2 at Mecheri Village, Mettur taluk, Salem District to an extent of 75 cents by fixing stones with Police aid at the time of survey and setting up the fencing to the petitioner's above said property in pursuance of petitioner's representation dated 06.11.2024”.

2. The petitioner purchased the subject property on 17.10.2024, from one Senthil Kumar, vide document No.5197 of 2024, SRO, Mecheri, Salem District. After purchase of the property, when the 2nd respondent attempted to survey the subject land, the respondents 4 to 12 opposed the survey of the subject property, due to which patta was



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issued without surveying the property.

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3. On 06.11.2024, the petitioner made an online application to the 2nd respondent to survey and point out the field boundaries of the subject property. However, there is no response. Therefore, the above Writ Petition.

4. Heard the learned counsels on the either side and perused the records.

5. Considering the facts and circumstances of the case, the 2nd respondent is directed to consider the petitioner's representation and conduct survey of the subject property. Further, patta has been issued without conducting a survey. The petitioner shall submit all the relevant records to show his title to the property and the 2nd respondent 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



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case of a rejection, a speaking order shall be passed. The said exercise shall be completed within a period of 5 months from the date of receipt of a copy of this order.

6. The Writ Petition is allowed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

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Mettur Sub-Division, Salem District.

2.The Tahsildar
Mettur Taluk,
Salem District.

3.The Inspector of Police
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P.T. ASHA, J,

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