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WP.No.36005 of 2024

In the High Court of Judicature at Madras

Dated : 02.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36005 of 2024

Shakkthi

Vs

...Petitioner

1.The District Collector,
Coimbatore District.

2.The Tahsildar, J.Krishnapuram
Village, Sulur Taluk, Coimbatore
District.

3.The District Surveyor,
J.Krishnapuram Village,
Sulur Taluk, Coimbatore District.

4.The Inspector of Police,
Sulthanpettai Police Station,
Coimbatore District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd and the 3rd respondents to take steps to measure and demarcate the property being all that piece and parcel of land in J.Krishnapuram Village, Sulur Taluk, Coimbatore District comprised in Old S.No.302/1, New S.No. 302/1C to an extent of 1.22 acres to put the fencing to the property with the aid of the fourth respondent within a time framed



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fixed by this Court.

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For Petitioner : Mr.M.Selvam
For R1 to R3 : Mr.M.R.Gopul Krishnan, AGP
For R4 : Mr.R.Vinoth Raja, GA (Crl.Side)

ORDER

Seeking a direction to respondents 2 and 3 to conduct a survey, demarcate the boundaries and put fencing to the property in Old S.No.302/1, New S.No.302/1C measuring 1.22 acres, J.Krishnapuram Village, Sulur Taluk, Coimbatore District with the aid of the fourth respondent, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader accepting notice for respondents 1 to 3 and the learned Government Advocate (Crl.Side) accepting notice for the fourth respondent.

3. The petitioner would contend that he acquired the said property by way of a registered sale deed dated 24.5.2023 vide Doc.No.9422 of 2023 on the file of the Sub-Registrar, Palladam. After purchase, he became the absolute owner of the said property. The patta was also transferred in the name of the petitioner and he has



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been paying the property tax in respect of the said property. The petitioner made an online application on 21.10.2024 to the second respondent to conduct a survey and demarcate the boundaries. The petitioner also paid necessary fees. As it did not evoke any response, the petitioner is before this Court.

4. As seen from the copy of the documents enclosed along with the affidavit filed in support of the writ petition, the said property belongs to the petitioner. Hence, the petitioner requested the second respondent to conduct a survey by making an online application on 21.10.2024.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second respondent consider the online application of the petitioner dated 21.10.2024 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 second respondent shall, after issuing notice to the adjacent land owners and the other interested parties, hold an enquiry and thereafter pass orders either surveying the said property, demarcating the boundaries and putting the fence at the cost of the petitioner or rejecting the request. If there is any disturbance while



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conducting the survey, the second respondent may approach the fourth 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 second respondent. No costs.

02.12.2024

To

- 1.The District Collector,
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Village, Sulur Taluk, Coimbatore
District.
- 3.The District Surveyor,
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- 4.The Inspector of Police,
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