



W.P.No.37657 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37657 of 2024

1.Kaladevi
2.Vellaiammal
3.T.Kamatchi
4.Indira
5.Pasamalar

.... Petitioners

Vs.

1.The District Collector
District Collector Office
Salem District.

2.The Tahsildar
Manmalai Village
Gangavalli Taluk
Salem District.

3.The Firka Surveyor
Manmalai Village
Gangavalli Taluk
Salem District.

4.The Inspector of Police



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Thammampatti Police Station
Salem District.

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5. Amudha

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 2nd and 3rd respondents to survey and demarcate the petitioner's lands in Survey No.353/2, and 353/4 in Manmalai Village, Gangavalli Taluk, Salem District based on the representation dated 22.08.2024 in accordance with law and directing the fourth respondent to provide police protection at the time of surveying the said land.

For Petitioners : Mr.M.Jaikumar

For Respondents : Mr.R.P.Murugan Raja
Government Advocate [R1 to R4]

ORDER

The above Writ Petition has been filed seeking a mandamus to 2nd and 3rd respondents to survey and demarcate the property of the petitioners in S.Nos.353/2 and 353/4 in Manmalai Village, Gangavalli Taluk, Salem District.



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2. The case of the petitioner is that the property in question are cultivation lands and they have been enjoying the same since from the date of partition and the patta for the said property stands in their name. The petitioners now intend to cultivate the said lands and the first petitioner submitted a representation dated 22.08.2024 to the second respondent for survey and demarcating the property, and had also paid necessary fees. But no action was taken by the respondents 2 and 3, inspite of their repeated representations and the fifth respondent herein is also objecting to conduct survey of the property in question. Hence, the petitioners are before this Court seeking a mandamus.

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

4. Considering the facts and circumstances of the case, a mandamus is issued to the 2nd and 3rd respondents to conduct a survey of the petition mentioned property and to issue patta in the name of the petitioners. The petitioners shall submit all the relevant records to



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show their title to the property 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 8 weeks from the date of receipt of a copy of this order.

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

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Index : Yes/No
Internet : Yes/No
srn

To

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P.T. ASHA, J,

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