



WP.No.36216 of 2024

In the High Court of Judicature at Madras

Dated : 09.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36216 of 2024

N.Nehru

Vs

...Petitioner

1.The District Collector, Office
of the District Collector,
Chinna Salem Taluk,
Kallakurichi District.

2.The Tahsildar, Chinna Salem
Taluk, Kallakurichi District.

3.The Taluk Surveyor, Office
of the Tahsildar, Chinna Salem
Taluk, Kallakurichi District.

4.The Inspector of Police,
Chinna Salem Police Station,
Kallakurichi 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 survey the petitioner's land to an extent of hectare 0.80 Ares situated in old Survey No.8-4, new Survey No.164/23, Thagarai Village, Chinna Salem Taluk, Kallakurichi District in view of the representation letter dated 30.9.2024 to the 1st respondent with



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the assistance of 4th respondent.

For Petitioner : Mr.P.Tamilvel
For R1 to R3 : Mr.A.Selvendran, SGP
For R4 : Mr.R.Vinoth Raja, GA (Crl.Side)

ORDER

Seeking a direction to respondents 2 and 3 to conduct a survey, pursuant to his representation dated 30.9.2024 sent to the first respondent, in respect of the land measuring hectare 0.80 Ares in old Survey No.8-4, new Survey No.164/23, Thagarai Village, Chinna Salem Taluk, Kallakurichi District with the assistance of the fourth respondent, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Special 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 is in possession of the said property for over 20 years. The second respondent issued a patta in respect of the said property in favour of him. The petitioner made an online application on 07.8.2024 to the second respondent to conduct a survey in respect of the said property, for which, he paid



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necessary charges. He also sent a representation dated 30.9.2024 to the first respondent seeking to conduct a survey. As it did not evoke any response, the writ petition has been filed.

4. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the second respondent to consider the online application of the petitioner dated 07.8.2024 to conduct a survey in respect 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 and or rejecting the request. If there is any disturbance while 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 12 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.

RS

09.12.2024



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P.T.ASHA,J

RS

To

- 1.The District Collector, Office
of the District Collector,
Chinna Salem Taluk,
Kallakurichi District.
- 2.The Tahsildar, Chinna Salem
Taluk, Kallakurichi District.
- 3.The Taluk Surveyor, Office
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- 4.The Inspector of Police,
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