



W.P.(MD) No.24730 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24730 of 2024

P.Saravanakumar

.. Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Tahsildar,
Aundipatti Taluk,
Theni District.

3.The Taluk Surveyor,
Tahsildar Office,
Aundipatti Taluk,
Aundipatti,
Theni District.

4.The Inspector of Police,
Aundipatti Police Station,
Aundipatti,
Theni District.

5.The Sub Inspector of Police,
Kandamanur Vilakku Police Station,
Aundipatti, Theni District.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the Respondents.2 and 3 to measure and demarcate the petitioner's properties in S.No.892/2 measuring 1 acre 10 cents of property in the above said Survey No.892/2 situated at Shanmugasundarapuram Village, Aundipatti Taluk, Theni District by considering his representations, dated 04.10.2024 and also direct to give adequate police protection by the respondents 4 and 5 during the survey.

For Petitioner	:	Mr.C.Susikumar
For R1 – R3	:	Mr.B.Saravanan Additional Government Pleader
For R4 & R5	:	Mr.K.Gnanasekaran Government Advocate(Crl.Side)

ORDER

This writ petition is filed for a mandamus to direct the respondents 2 and 3 to conduct survey and mark the boundaries of the property comprised in Survey No.892/2 measuring an extent of 1 acre 10 cents situated in Shanmugasundarapuram Village, Aundipatti Taluk, Theni District by considering his representations, dated 04.10.2024 by obtaining adequate police protection from the respondents 4 and 5.



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2. The case of the petitioner is that he has purchased 30 cents in the above survey number from one Dhanapal under a registered sale deed, dated 29.06.2016. Since then, he is in possession and enjoyment of the same. Thereafter, in the same survey number, he has purchased another 30 cents of lands on the same date from one Elangovan and Nithya under a registered sale deed. That apart, his wife has executed a gift deed in his favour on 03.08.2023. In order to find out the four boundaries, the petitioner had filed an application on 21.09.2024 to the 2nd and 3rd respondents to survey and demarcate the above property and has also paid necessary fee for the same. Since the same has not been considered, he made a detailed representation on 04.10.2024 to the respondents 1 and 3. Despite the representations did not evoke any response, the petitioner is before this Court.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as in September, 2024, a Mandamus is issued to the respondents 1 to 3 to conduct survey and mark the boundaries in the petition mentioned property. If there is any



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law and order problem, the revenue officials shall seek police protection.

In such circumstances, the 3rd and 4th respondents are directed to provide police protection to the revenue officials for conducting survey and demarcation. The petitioner shall submit all the relevant records to show his title to the property and the respondents 1 to 3 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter proceed to pass orders either surveying and demarcating 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 eight (8) weeks from the date of receipt of a copy of this order.

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

21.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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