



W.P.(MD) No.25237 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.10.2024**

**CORAM:**

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

W.P.(MD) No.25237 of 2024

R.Palraj

.. Petitioner

Vs.

- 1.The District Collector,  
Virudhunagar District,  
Virudhunagar.
- 2.The Tahsildar,  
Rajapalayam Taluk,  
Virudhunagar District.
- 3.The Special Tahsildar (ADW),  
Adi Dravidar Welfare,  
Srivilliputhur, Virudhunagar District.
- 4.The Firka Surveyor,  
Cholapuram,  
Rajapalayam Taluk,  
Virudhunagar District.
- 5.The Inspector of Police,  
Thalaivaipuram Police Station,  
Virudhunagar District.
- 6.Ganapathi



W.P.(MD) No.25237 of 2024

7.Chidambaram

8.Udaiyarsamy

9.Marimuthu

10.Mariappan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the 2<sup>nd</sup> and 4<sup>th</sup> respondents to conduct survey in assigned plot No.42 in Survey Nos. 408/2A and 2B the property situated at South Venganallur Village, Rajapalayam Taluk, Virudhunagar District with adequate police protection and issue patta to the petitioner within a time frame as fixed by this Court.

|                |   |                                                      |
|----------------|---|------------------------------------------------------|
| For Petitioner | : | Mr.S.Sankar                                          |
| For R1 to R4   | : | Mr.D.S.Nedunchezian<br>Government Advocate           |
| For R5         | : | Mr.K.Gnanasekaran<br>Government Advocate (Crl. Side) |

### **ORDER**

The petitioner has filed this writ petition for a mandamus directing the second and fourth respondents to conduct survey in assigned plot No. 42, in Survey Nos.408/2A and 2B, situate at South Venganallur Village,



W.P.(MD) No.25237 of 2024

Rajapalayam Taluk, Virudhunagar District with adequate police protection and issue patta to him.

2. The case of the petitioner is that the third respondent assigned the land in Plot No.42 of the aforesaid survey number in favour of the petitioner. The order of assignment dated 03.04.2007 was issued by the Special Tahsildar, Adi Dravidar Welfare, Srivilliputhur, Virudhunagar District. The petitioner would submit that the third respondent in his proceedings in A1/214/2005, dated 03.04.2007 had directed the second respondent for issuing patta as per the direction of the Revenue Divisional Officer, Sivakasi. But till date, the second respondent had not issued patta to the petitioner. The petitioner also made application to the second and fourth respondents to survey the land by making requisite payment on 09.08.2018. When the fourth respondent took steps to survey the land, respondents 6 to 10 interfered with the same without any reasons, who are no way connected to the assignment. Therefore, the petitioner lodged a complaint to the fifth respondent on 22.08.2018 to take necessary action on respondents 6 to 10. The fifth respondent also



W.P.(MD) No.25237 of 2024

issued CSR No.156 of 2018. Thereafter, no action was taken. The petitioner made a representation dated 14.06.2022 to the first respondent requesting to take necessary actions and to survey the land. Further, the second respondent in his proceedings dated 04.07.2022, directed the fourth respondent to conduct survey and submit a report. But the fourth respondent did not conduct the survey till date. Therefore, the petitioner is before this Court.

3. Heard the learned counsel on either side.

4. Considering the case of the petitioner and also the fact that the petitioner has made his application as early as on 09.08.2018, a mandamus is issued to the second respondent to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property. After issuing notice to respondents 6 to 10 and to the adjacent land owners and interested parties, the second respondent shall hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the



W.P.(MD) No.25237 of 2024

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 four weeks from the date of receipt of a copy of this order.

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

**24.10.2024**

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The District Collector,  
Virudhunagar District, Virudhunagar.

2.The Tahsildar,  
Rajapalayam Taluk,  
Virudhunagar District.

3.The Special Tahsildar (ADW),  
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4.The Firka Surveyor,  
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W.P.(MD) No.25237 of 2024

**P.T.ASHA, J.**

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5.The Inspector of Police,  
Thalaivaipuram Police Station,  
Virudhunagar District.

**W.P.(MD) No.25237 of 2024**

**Dated: 24.10.2024**