



W.P.No.927 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.927 of 2025

Mrs.R.Hema

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District.
2. The Revenue Divisional Officer,
Dharmapuri District,
Dharmapuri.
3. The Deputy Superintendent of Police,
Palacode,
Dharmapuri District.
4. The Tahsildar,
Kariyamangalam Taluk,
Dharmapuri District.
5. The Head Surveyor,
Kariyamangalam Taluk,
Dharmapuri District.
6. The Inspector of Police,
Kariyamangalam Police Station,
Kariyamangalam,
Dharmapuri District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India



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praying for issuance of a writ of Mandamus, directing the 4th and 5th respondent to take steps to measure and demarcate the property being all that piece and parcel of land in Boomandahalli Village, Karimangalam Taluk, Dharmapuri comprised in S.No.26/1C to an extent of 37 cents, S.No.27/1D to an extent of 0.4 cents, S.No.27/3 to an extent of 0.04 cents and S.No.28/3 to an extent of 0.05 cents totally to an extent of 50 cents and the properties situated at Mallikuttai Village, Kariamangalam Taluk, Dharmapuri comprised in S.No.680/2 to an extent of 1.37 Acre, S.No.684/4A to an extent of 60 cents, S.No.685/3 to an extent of 70 cents, 685/4A to an extent of 25 cents totally to an extent of 5.96 Acres and the two properties total an extent of 5.96 Acres to put the fencing the property with the help of 3rd and 6th respondent within a limited time frame.

For Petitioner : Mr.K.Venkateswaran

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate



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ORDER

The petitioner seeks a mandamus directing the 4th and 5th respondent to take steps to measure and demarcate the property in Boomandahalli Village, Karimangalam Taluk, Dharmapuri comprised in S.No.26/1C to an extent of 37 cents, S.No.27/1D to an extent of 0.4 cents, S.No.27/3 to an extent of 0.04 cents and S.No.28/3 to an extent of 0.05 cents totally to an extent of 50 cents and the properties situated at Mallikuttai Village, Kariamangalam Taluk, Dharmapuri comprised in S.No.680/2 to an extent of 1.37 Acre, S.No.684/4A to an extent of 60 cents, S.No.685/3 to an extent of 70 cents, 685/4A to an extent of 25 cents totally to an extent of 5.96 Acres and fencing the said property with the help of 3rd and 6th respondent.

2. It is the case of the petitioner that he is the owner of the properties and is in possession of the same from the date of its purchase from one Madheswaran, who is the Power of Attorney of a certain Tirupati. Be that as it may, after the demise of Tirupati, his legal heirs namely Raja and his son Madhu are interfering with the petitioner's possession. Hence, the petitioner laid a suit for declaration and permanent injunction in



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O.S.No.250 of 2022 on the file of Subordinate Court, Palacode along with I.A.No.831 of 2022 seeking for ad-interim injunction against the said Raja and Madhu. The trial Court granted ad-interim injunction in favour of the petitioner. Since the petitioner wanted her property to be surveyed and demarcated, she had submitted an online application on 10.08.2024. However, the same has not been considered to date. Therefore, the present writ petition has been filed.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has submitted her online application as early as on 10.08.2024, a mandamus is issued to the respondents 4 and 5 to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show her 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 eight (8) weeks from the date of receipt of a copy of this order.



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

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Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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P.T. ASHA. J.,



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