



WEB COPY

W.P. No.4163 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.02.2025

CORAM:

THE HON'BLE MR. JUSTICE M. SUNDAR
AND
THE HON'BLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

W.P.No.4163 of 2025

G. Anwar

Petitioner

vs.

1. The District Collector
Thiruvallur District
Thiruvallur 602 001

2. The Tahsildar
Madhavaram Taluk
Madhavaram
Chennai 600 060

3. The Taluk Surveyor
Madhavaram Taluk
Madhavaram
Chennai 600 060

4. Rajesh K. Vora

5. Emerald Promoters Pvt. Ltd.
represented by its Managing Director
having its Registered Office at:
W-113, III Avenue
Anna Nagar
Chenna - 600 040

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 to 3 to survey the petitioner's property bearing Plot No.18, "Industrial Garden", comprised in Survey No.185/1C situated at No.50, Vadaperumbakkam Village, Ambattur Taluk, Thiruvallur District, within the limits of Puzhal Panchayat Union, measuring to an extent of 1,718 sq. ft. of land and



WEB COPY

W.P. No.4163 of 2



to remove the encroachments illegally put up by the respondents and 5, on the basis of the petitioner's representation dated 23.12.2024 and to dispose of the same within a time frame.

For petitioner	Mr. V. Ramana Reddy
For RR 1 to 3	Mr. T.K. Saravanan Government Advocate

ORDER

(made by M. SUNDAR, J.)

Subject matter of captioned 'writ petition' (hereinafter 'WP' for the sake of brevity) is 'Plot No.18, 'Industrial Garden' comprised in Survey No.185/1C situate at No.50, Vadaperumbakkam Village, Ambattur Taluk, Thiruvallur District' (hereinafter 'said land' for the sake convenience and clarity).

2. Mr. V. Ramana Reddy, learned counsel for writ petitioner, submits that said land admeasures 1,718 sq.ft. or thereabouts and writ petitioner purchased the same in the year 2006 by way of a registered sale deed dated 05.12.2006 (Document No.10855 of 2006 on the file of Sub Registrar Office, Red Hills).

3. Learned counsel points out that on 10.07.2024, writ petitioner sought survey of said land and paid fee for the same but there is inaction.



WEB COPY

4. Learned counsel also submits that a representation dated 23.12.2024 has been sent by writ petitioner.

5. A careful perusal of writ petitioner's representation dated 23.12.2024 brings to light that writ petitioner is alleging encroachment in said land by a neighbour. This Court is of the considered view that cases of alleged encroachments in private lands, more so by neighbours, are matters in which the parties concerned should approach Civil Court. To be noted, it is not the case of the writ petitioner that there is encroachment in public land.

6. Faced with the above situation, learned counsel for writ petitioner, submits that he restricts the prayer (in captioned main WP) to his request for survey of said land alone. This submission is recorded.

7. Issue notice to official respondents, viz., RR 1 to 3.

8. Mr. T.K. Saravanan, learned Government Advocate, accepts notice for RR 1 to 3 and learned State counsel submits, on instructions, that writ petitioner's application for survey dated 10.07.2024 was acted upon, the Revenue Inspector went over to said land but it came to light that said land is not in possession of writ



petitioner and therefore, survey could not be conducted.

WEB COPY

9. Be that as it may, learned State counsel also submitted that R2 (Tahsildar, Madhavaram Taluk) will now pass a suitable order *qua* writ petitioner's application for survey dated 10.07.2024.

10. We make it clear that all the rights and contentions of private respondents (RR 4 and 5) stand preserved with regard to subject matter of instant writ petition. Therefore, there is no impediment in taking up the captioned WP with the consent of learned counsel for writ petitioner and learned State counsel, we do so.

11. The acknowledgment for survey request, *i.e.*, application for survey of said land, as placed before us, is as follows:



அரசிடப்பட்ட தேதி :-10/07/2024

ஒட்டிபுகைச் சீட்டு

மனுவின் வகை : புல எல்லை அளக்கக் கோரும் மனு

மனு எண் : 2024/0123/02/000354

மனுதாரரின் விவரம் :-

பெயர் : G.ANWAR

தந்தை பெயர் : GHOUSE BASHA

மனுதாரரின் இருப்பிட முகவரி : NO.32,KACHALESHWARAH GARDEN,BROADWAY,CH-1

தொலைபேசி எண் : 98400768

மனு தொடர்மான விவரம் :-

மனு பதிவு செய்த நாள் : 10/07/2024

சொத்து தொடர்பான விவரம்

District: Chennai

Taluk: Madhavaram

Village	Survey No	Sub Division No	Area(Hec/Ares)-	No of boundaries
Vadaperumbakkam	155	41	0-1.89	4

அனுத வேண்டிய அனுமதி : புல அளவைப் பிரிவு , வட்டாட்சியர் அலுவலகம்,மதுரைப் பட்டம்

இதற்கென புல எல்லை அளவை கட்டணமாக ரூ.800/- பெறப்பட்டது.

புல எல்லை அளக்க கோரிய மனு தொடர்பாக கீழ்க்கண்ட தகவல்கள் :-

• மனுவின் தொடர்மான வடிவங்களின் நிலையம் : தமிழ் eservices tn.gov.in என்ற இணையதளத்தில் 'Know Your Field Measurement Application Status' க் பார்வையிடலாம்.

(Message About Statement/Sketch)

• உங்களின் Android கைப்பேசியில் 'TamilNiam e-services of Land Records' என்ற செயலியை பதிவிறக்கம் செய்து 'Field Measurement Application Status' க் பார்வையிடலாம்.

• இந்த மின் சேவை தொடர்பான புகார் ஏதும் இருப்பின் கீழ்க்கண்ட இடம் : Rural அரசு : 313 and Urban அரசு : 312 என்ற தொலைபேசி எண் மற்றும் n.dlr-surveyor என்ற மின்னஞ்சல் மூலம் தெரிவிக்கலாம்.



12. R2 will now pass orders *qua* the above application as expeditiously as the business of R2 would permit but in any event within a period of three weeks from today *i.e.*, on or before 28.02.2025. The order so passed by R2 shall be served on writ petitioner under due acknowledgment within five working days from the date of the order.

13. Inasmuch as we have preserved the rights and contentions of private respondents (RR 4 and 5), we deem it appropriate to write that all the rights and contentions of writ petitioner also will stand preserved when the order is made by R2 and if the writ petitioner approaches Civil Court or initiates any other action, if so advised and if so desired.

Captioned WP stands disposed of in the aforesaid manner with the aforesaid directives. There shall be no order as to costs.

(M.S., J.) (K.G.T., J.)
07.02.2025

cad
Index : Yes/No
NC : Yes/No



To

WEB COPY

1. The District Collector
Thiruvallur District
Thiruvallur 602 001
2. The Tahsildar
Madhavaram Taluk
Madhavaram
Chennai 600 060
3. The Taluk Surveyor
Madhavaram Taluk
Madhavaram
Chennai 600 060

W.P. No.4163 of 2





WEB COPY

W.P. No.4163 of 2



M. SUNDAR, J.

and

K. GOVINDARAJAN THILAKAVADI, J.

cad

W.P. No.4163 of 2025

07.02.2025