



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

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CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.2914 of 2025

Selvaraj

... Petitioner

Vs.

1.The Tahsildar,
Mettur Taluk,
Salem District.

2.The Inspector of Police,
Nangavalli Police Station,
Salem District.

3.Malarkodi

4.Thambidurai

5.Sudha

6.Priyadharshini

7.Kavipriya

8.Chinnapillai

9.Chinnamuthu

10.Maharajan



11.Meena

12.Nagarajan

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13.Divya

14.Ponammal

15.Mani

16.Thavamani

17.Ramasami

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to conduct survey and demarcate the boundaries of petitioner's property comprised in survey no.17/4, 17/9, 17/10, at Kuttapatti Village, Mettur Taluk, Salem District to an total extent of 1.24 ½ Acers and Survey No.234/8K2, 234/8D at Viruthasampatti Village, Mettur Taluk, Salem District to an total extent of 29 ½ cents with Police aid of the 2nd respondent and issue separate Patta in favor of petitioner in pursuance of petitioner's representation dated 14.12.2024.

For Petitioner : Mr.C.Deepakkumar

For Respondents : Mr.S.Jayachandran
Government Advocate for R1
Mr.V.J.Priyadarsana
Government Advocate for R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to deal with the representation made by the petitioner on 14.12.2024



wherein, the petitioner has sought for survey and measurement of the subject property and for fixing the boundary stones with police protection.

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2.Heard Mr.C.Deepakkumar, learned counsel appearing on behalf of the petitioner, Mr.S.Jayachandran, learned Government Advocate appearing on behalf of the 1st respondent and Mr.V.J.Priyadarsana, learned Government Advocate appearing on behalf of the 2nd respondent.

3.The case of the petitioner is that a larger extent of the subject property was partitioned among the co-owners through a Partition Deed dated 07.02.2023. Under this Partition Deed, specific portion was allotted to the petitioner. Thereafter, the name of the petitioner has also been added as one of the joint patta holder in Patta Nos.4093 & 226. The petitioner wants a survey to be conducted with respect to the property that was allotted to the petitioner and to measure the same and to fix the boundary stones. The representation was made in this regard. The grievance of the petitioner is that everytime an attempt is made, the same is being opposed by the private respondents. Therefore, the present writ petition has been filed before this Court.

4.Taking into consideration the facts and circumstances of the case and considering the limited relief that has been sought for in this writ petition, there shall be



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a direction to the petitioner to submit an online application before the 1st respondent along with all the relevant documents and also pay the necessary fees for conducting a survey. On receipt of the same, the 1st respondent shall take steps to conduct the survey and to measure the property and fix the boundary stones in line with the registered Partition Deed dated 07.02.2023. While conducting the survey, the same shall be done in the presence of the private respondents. If there is any resistance, the 2nd respondent shall also provide for police protection. This process shall be completed by the 1st respondent, within a period of four weeks from the date of receipt of the fresh on-line application submitted by the petitioner.

5.This writ petition is disposed of with the above directions. No Costs.

06.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The Tahsildar,
Mettur Taluk,
Salem District.



2. The Inspector of Police,
Nangavalli Police Station,
Salem District.

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N. ANAND VENKATESH, J.

SSR

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