

W.P.No.1103 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.1103 of 2025

T.Balan

...Petitioner

Vs

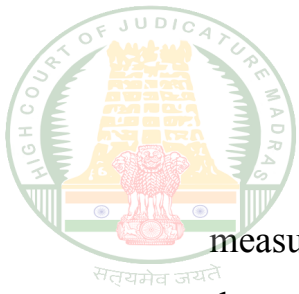
1.The Tahsildar
Office of the Tahsildar,
Maduravoyal Taluk,
Maduravoyal, Tiruvallur District.

2.The Sub-Inspector of Survey,
Office of the Tahsildar,
Maduravoyal Taluk,
Maduravoyal, Tiruvallur District.

3.The Inspector of Police,
V-7, Nolambur Police Station,
Nolambur, Chennai

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents No.1 and 2 to survey the petitioner's properties comprised in Survey Nos.103/2, Nolambur village, Ambattur Taluk, Tiruvallur District



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measuring to an extent of 56 cents with police protection and to demarcate the boundaries by fixing survey boundary stones and also to furnish a copy of the survey report.

For Petitioner : Mr.M.Sathish Kumar

For Respondents : Mr.A.Selvendran
Special Government Pleader
(For R1 to R3)

ORDER

Seeking a Mandamus to the respondents 1 and 2 to dispose of the representation submitted by the petitioner for surveying and demarcating his property measuring an extent of 56 cents, comprised in S.No.103/2, Nolambur Village, Ambattur Taluk, Tiruvallur District, the petitioner is before this Court.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3.The petitioner would submit that he had purchased the subject property in Survey Nos.102/1, 102/2, 102/3 and 103/2 measuring an extent of 2.41 acres situate at Nolambur Village, Ambattur Taluk,

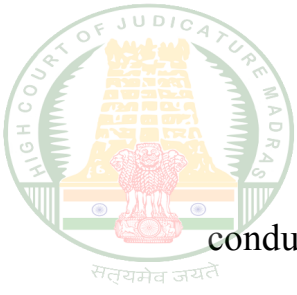


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Tiruvallur District. Thereafter, petitioner submitted an application to the second respondent to survey the property in S.No.103/2, Nolambur Village, Ambattur Taluk, Tiruvallur District and the same was done on 03.01.2025. However, some persons had objected to survey the said property. Consequently, petitioner had lodged a complaint to the Joint Commissioner of Police, West Zone, Chennai, on 24.06.2024 seeking for property action against the said persons and the same was forwarded to third respondent for necessary action. Till date no action has been taken. Hence, the petitioner is before this court seeking direction to survey his property with Police protection.

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner has patta for the said property, he requested the second respondent to survey the land.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to consider the representation of the petitioner dated 26.12.2024 and



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conduct a survey of the said property. The petitioner shall submit all the relevant records to show his title to the said property and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter pass orders either surveying and subdividing the property or rejecting the request. If there is any disturbance while conducting the survey, the first respondent may approach the second respondent for necessary police protection. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. It is made clear that in the case of rejection, a speaking order shall be passed by the first respondent. No costs.

21.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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