



W.P.No.17128 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

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Sakkarapani

... Petitioner(s)

Vs.

1.The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

2.The Tahsildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

3.The Inspector of Police,
Uthangarai Police Station,
Krishnagiri District.

4.Vinodhan

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, direct the respondents to survey the land and make sub-division in respect of land in S.No.10/1, 11/2 as per the Decree passed in O.S.No.162 of 2023 and REP No.157/95 of District Munsif Court, Uthangarai and remove the fourth respondent name in the patta as per law.



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For Petitioner(s)
For Respondent(s)

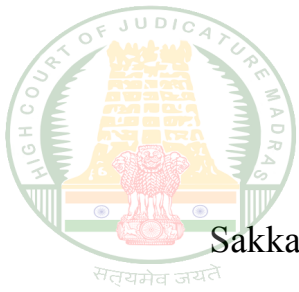
: Mr.K.Thiruvengadam
: Mr.P.Ganesan for R1 & R2
Government Advocate
Mr.R.Kishore Kumar for R3
Government Advocate
(Criminal Side)

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to 4th respondent is dispensed with.

2.The present writ petition is filed praying for a writ of mandamus, to direct the respondents to survey the land and make sub-division in respect of land comprised in S.No.10/1, 11/2 as per the decree passed in O.S.No.162 of 2023 and REP.No.157/95 on the file of District Munsif Court, Uthangarai and to remove the 4th respondent name in the patta in accordance with law.

3.It is submitted by the learned counsel for the petitioner that the land in S.Nos.10/1 and 11/2 belongs to the petitioner's mother viz., Kamatchi and she died due to illness on 14.07.2012. Petitioner's father



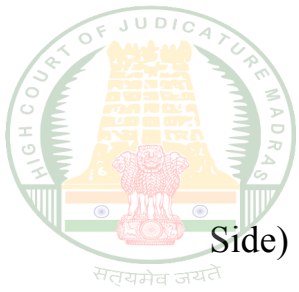
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Sakkarapani, brothers Balaraman, Ramachandra Moorthy,

WEB COPY Arunagirinathan and sisters Singari and Sarasu are the legal heirs of the subject property.

4.It is further submitted by the learned counsel for petitioner that the petitioner had submitted a representation on 26.12.2024 to carry out survey and to remove the name of the 4th respondent, who is no way connected to the subject property. Since the petitioner's representation was not considered by the respondents till date, the present writ petition has been filed before this Court. Further, the learned counsel for the petitioner would request that adequate police protection may be provided at the time of survey.

5.Learned Government Advocate for the respondents 1 to 3 would submit that they would consider the petitioner's representation dated 26.12.2024 and appropriate orders would be passed within a time frame to be fixed by this Court. It is further submitted by the learned Government Advocate that in case police protection is required they would request 3rd respondent for conduct of survey of subject property. When this was pointed out, the learned Government Advocate, (Criminal



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Side) appearing for 3rd respondent would submit that if any such request is made, adequate police protection will be granted, which was agreed to by the learned counsel for the petitioner.

6.In view thereof, the writ petition stands disposed of with a direction to the respondents 1 & 2 to consider the petitioner's representation dated 26.12.2024, after putting the petitioner, 4th respondent, adjacent land owners and other interested parties including rival claimants if any on notice, within a period of 8 weeks from the date of receipt of a copy of this order. It is open to the 2nd respondent to request for police protection before the 3rd respondent. If any such request is made, the 3rd respondent is directed to provide adequate police protection for carrying out survey. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.

03.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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MOHAMMED SHAFFIQ, J.

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