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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 11952 of 2025

D.Palanisamy

Petitioner(s)

Vs

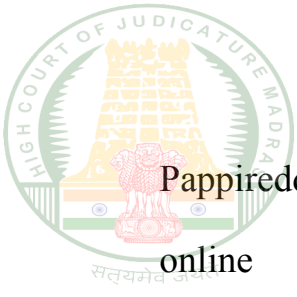
1. The Revenue Tahsildar
Pappireddipatti Taluk,
Dharmapuri District

2.The Sub Inspector Of Police
Bommdi Police Station,
Dharmapuri District

3.Saroja

Respondent(s)

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 fix the boundary stones and to direct the 2nd respondent to provide police aid to fence for petitioner land comprised in S.F. Nos 5/1 (0.07.5 Hc), 5/3A (0.03.0Hec) 5/3B (0.67.5 Hec) and 5/3D1 (0.99.5 Hec), Vellalapatti village,



Pappireddipatti Taluk, Dharmapuri district, by considering the petitioner's online Application No.2025/0123/05/009119 dated 21.02.2025 and representation dated 22.02.2025.

For Petitioner(s): Mr.N. Manoharan

For Respondent(s): Mr.M.R.Gokulkrishnan
Additional Government Pleader
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 conduct the survey and fix the boundary stones based on the online application submitted by the petitioner on 21.02.2025.

2.Heard Mr.N.Manoharan, learned counsel appearing on behalf of the petitioner, Mr.M.R.Gokulkrishnan, learned Additional Government Pleader appearing on behalf of the 1st respondent and Mr.V.J.Priyadarsana, learned Government Advocate appearing on behalf of the 2nd respondent.

3.The petitioner is claiming to be the owner of the subject property by virtue of a Partition deed dated 02.06.2004 registered as Document No.929 of



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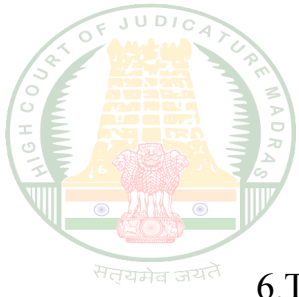
2004. The petitioner's wife is also the owner of the remaining properties by virtue of a registered Sale Deed dated 02.05.2011 registered as Document No.1555 of 2011. A suit was filed by the petitioner's wife in O.S.No.117 of 2007 before the District Munsif Court, Harur against one Rajendran seeking for the relief of declaration of title and permanent injunction and after contest, the suit was decreed as prayed for by judgment and Decree dated 27.04.2007. Subsequently, patta was also issued in the name of the petitioner's wife. The further case of the petitioner is that the 3rd respondent filed a suit in O.S.No.2 of 2008 against the petitioner's wife seeking for the relief of declaration and permanent injunction. After contest, that suit was also dismissed by judgment and decree dated 15.12.2023 and it has become final.

4.The petitioner in order to avoid any further confusion, submitted an online application seeking for the survey of the subject property. This application was acted upon by the 1st respondent and when the 1st respondent came for the survey, it was obstructed by the 3rd respondent. In spite of the same, the survey was conducted and the boundary stones were also laid on



06.03.2024. However, the 3rd respondent seems to have removed/damaged the boundary stones. In view of the same, the petitioner gave a complaint before the 2nd respondent which was taken on file in C.S.R.No.56 of 2024. The petitioner thereafter submitted another online application on 21.02.2025 in order to once again conduct the survey and to fix the boundary stones. Since the same was not acted upon, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the 1st respondent to act upon the online application submitted by the petitioner on 21.02.2025 and to conduct the survey in the subject property with police protection provided by the 2nd respondent. If the 3rd respondent once again resorts to any obstruction or removing the boundary stones, the 2nd respondent is directed to register an FIR and proceed further in accordance with law. This process shall be completed by the 1st respondent, within a period of four weeks from the date of receipt of copy of this order.



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

08-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To
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1. The Revenue Tahsildar
Pappireddipatti Taluk, Dharmapuri
District

2. The Sub Inspector Of Police
Bommdi Police Station, Dharmapuri
District



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N.ANAND VENKATESH J.

SSR

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