



Writ Petition No.12309 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12309 of 2025

1.P.Nallathambi
S/o.Pichaipillai

2.K.Chellathurai
S/o.Natesapillai

Petitioners

Vs

1. The District Collector
Kallakurichi District, Kallakurichi.

2.The Tahsildar
Kallakurichi Taluk, Kallakurichi.

3.The Inspector of Police
Kallakurichi, Kallakurichi District.

4.A.Mohammed Ismail
S/o.Adhamsha

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to forthwith carry out the survey of the lands in S.Numbers 5/1B, 5/2A, 5/4A, 5/4B1 and 5/5 in Neelamangalam Village, Kallakurichi Taluk and District of the total extent of 1 acre and 63 cents



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and marking out the said lands as per the application of the petitioners dated 28.02.2025 in No.2025/123/33/005666 within the time fixed by this Court.

For Petitioners : Mr.P.Srinivas

For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1 & R2]
Mr.V.J.Priyadarsana
Government Advocate [Crl.side] [R3]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to act upon the online application submitted by the petitioners on 28.02.2025 and conduct the survey in the subject property and demarcate the boundaries.

2. Heard Mr.P.Srinivas, learned counsel for petitioners, Mr.P.Sathish, learned Additional Government Pleader appearing for respondents 1 and 2 and Mr.V.J.Priyadarsana, learned Government Advocate [Crl.side] appearing for third respondent.



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3. The petitioners are relying upon the gift deed dated 13.03.2025 and also the planning permission granted by the authority. An application was submitted seeking for survey of the subject property through an application dated 28.02.2025. When the survey was sought to be conducted, it was resisted by the fourth respondent, who is the adjacent land owner. It is under these circumstances, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the second respondent to act upon the application submitted by the petitioner and conduct survey in the subject property based on the title deed relied upon by the petitioners. Such survey shall be conducted in the presence of fourth respondent and his title deed shall also be taken into consideration. The said process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. In case of any law and order problem, the third respondent shall provide police protection.



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N.ANAND VENKATESH, J

gm

This writ petition is disposed of with the above direction. No costs.

16.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

gm

To

1. The District Collector
Kallakurichi District, Kallakurichi.

2.The Tahsildar
Kallakurichi Taluk, Kallakurichi.

3.The Inspector of Police
Kallakurichi, Kallakurichi District.

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