



W.P.No.17857 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 05.06.2025

CORAM

THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.P.No.17857 of 2025

A.Damodharan

... Petitioner

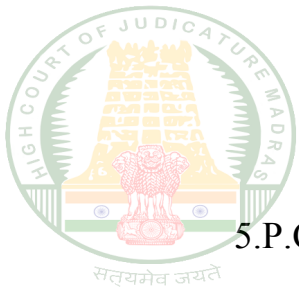
Vs.

1.The District Collector,
Kamarajar Nagar,
Thirupattur Road,
Thirupattur District - 635 601.

2.The District Revenue Officer,
Collectorate Campus,
Kamarajar Nagar,
Thirupattur Road,
Thirupattur District - 635 601.

3.The Revenue Divisional Officer,
Kamarajar Nagar,
Thirupattur Road,
Thirupattur District - 635 601.

4.The Tahsildar,
Patchur Village,
Nattarampalli Taluk,
Thirupattur District - 635 601.



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5.P.C.Dharuman

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to Demark the Schedule mentioned property of the petitioner as per the Survey No.5/12A2B and 5/1B2A2B vide patta No.9918 and also direct the respondents 1 to 4 to remove the encroachment made by the fifth respondent.

For Petitioner : M/s.Priyadarshini S.B

For Respondents 1 to 4 : Mr.P.Sathish,
Additional Government Pleader

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 respondent No.5 is dispense with.

2. The present writ petition is filed praying for a writ of



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mandamus, to direct the respondents to de-mark the Schedule mentioned property of the petitioner as per the Survey No.5/12A2B and 5/1B2A2B vide patta No.9918 and also direct the respondents 1 to 4 to remove the encroachment made by the fifth respondent.

3. It is submitted by the learned counsel for the petitioner that the petitioner's father was the original owner of the property comprised in S.Nos.5/12A2 and 5/1B2A2 to an extent of 1818 sq.ft., After his demise, a sale deed was executed in favour of fifth respondent to an extent of 122.5 sq.ft., by the petitioner and other legal heirs of Ananthan, the original owner. After the demise of petitioner's brother Dilip Kumar, the surviving legal heirs viz., the petitioner's mother and sister, executed a release deed in favour of the petitioner vide Doc.No.2489 of 2024 dated 19.07.2024. Thereafter, the petitioner had sold an extent of 1237 sq.ft., to one Chandru and what is remaining is an extent of 459 sq.ft., which according to the petitioner belongs to him. However, the fifth respondent encroached an extent of 237 sq.ft out of the same. In this circumstances, the petitioner had submitted a representation on 01.04.2025 to survey and demarcate the petitioner's property. Since the petitioner's representation



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was not considered by the respondent till date, the present writ petition has been filed before this Court.

4. On this being pointed out, the learned Additional Government Pleader had objection with regard to the second part of the prayer and would submit that they would consider the petitioner's representation dated 01.04.2025 to survey and demarcate the subject property and complete the process within a time frame fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. Learned counsel for the petitioner would confer his prayer only to survey the petitioner's property and endorsement was also made in this regard.

6. In view thereof, the writ petition stands disposed of with the direction to the respondents to consider petitioner's representation dated 01.04.2025 and carry out a survey, demarcate the subject property and



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complete the process within a period of 12 weeks from the date of receipt of a copy of this order after giving prior notice to the petitioner, the fifth respondent, adjacent land owners and other interested parties including rival claimants if any. 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.

05.06.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

vm

MOHAMMED SHAFFIQ.J.,

vm



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