



W.P. No.19098 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.19098 of 2025

V.Manikandan

... Petitioner

Vs.

1.The Tahsildar,
Office of the Thasildar,
R.K. Pet Taluk,
Thiruvallur District,
Tamil Nadu.

2.The Inspector of Police,
RK Pet Police Station,
R.K Pet Taluk,
Thiruvallur District,
Tamil Nadu.

3.P.Boobalan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to conduct a survey of the petitioner's land comprised in Survey No.198/3, measuring 4.83 acres, situated at Paivalasa Village, R.K. Pet Taluk, Thiruvallur District, and to demarcate the said land by fixing proper survey stones, in pursuance of petitioner's online application No.2024/0123/01/003966, dated 15.07.2024,



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within a stipulated time frame, consequently direct the second respondent viz., the Inspector of Police, R.K.Pet Police Station, to provide adequate police protection to the officials of the first respondent during the conduct of such survey and demarcation and pass orders.

For Petitioner(s) : Mr.P.R.Thiruneelakandan

For Respondent(s) : Mr.S.Jayachandran
Government Advocate
for R1

Mr.R.Kishore Kumar
Government Advocate (criminal side)
for R2

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.3 is dispense with.

2. The present writ petition is filed praying for a writ of mandamus to direct the first respondent to conduct a survey of the petitioner's land comprised in Survey No.198/3, measuring 4.83 acres, situated at Paivalasa Village, R.K. Pet Taluk, Thiruvallur District, and to demarcate the said land by fixing proper survey stones, in pursuance of petitioner's online application



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No.2024/0123/01/003966, dated 15.07.2024, within a stipulated time frame,

consequently direct the second respondent viz., the Inspector of Police, R.K.Pet Police Station, to provide adequate police protection to the officials of the first respondent during the conduct of such survey and demarcation.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the lawful owner of 4.83 acres of agricultural land comprised in Survey No.198/3, Paivalasa Village, R.K. Pet Taluk, Thiruvallur District acquired through a registered sale deed dated 19.11.2011. Thereafter, the petitioner made online application on 15.07.2024 to the first respondent seeking restoration of sale deed and to conduct survey of the subject land and has also paid necessary fees to conduct survey. However, no action was taken by the respondents. Hence, the petitioner filed W.P.No.29993 of 2024 before this Court seeking a direction to the first respondent to dispose of the said application.

This court, by order dated 17.10.2024 has observed as under:

"In view of the above submission made by the learned Government Advocate, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the first respondent to consider the on-line application of the petitioner dated 15.07.2024 and pass final orders, after issuing notice to the petitioner as well as the second respondent and any other interested parties,



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within a period of eight weeks from the date of receipt of a copy of this order"

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4. It is submitted by the learned counsel for the petitioner that pursuant to the above orders of this Court, when the surveyor attempted to survey the petitioner's property, there was resistance by the third respondent, as a result of which, the survey could not take place. Hence, the petitioner has filed the present writ petition.

5. The learned Government Advocate, Mr.S.Jayachandran appearing for Respondent No.1 would submit that they would consider the online application dated 15.07.202 and carry out a survey, demarcate the subject property and pass appropriate orders within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

6. It is further submitted by the learned Government Advocate that in case police protection is required they would request the second respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar appearing for the 2nd respondent would submit that if any such request is made adequate police protection will be granted.



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7. In view thereof, the writ petition stands disposed of with a direction to the first respondent to consider the petitioner's online application dated 15.07.2024 and carry out a survey, demarcate the subject property and pass appropriate orders after putting the petitioner, 3rd respondent, adjacent land owners and any other interested parties, 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 first respondent to request for police protection before the second respondent. If any such request is made the second respondent is directed to provide adequate police protection for conducting the 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.

11.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn



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To:

1.The Tahsildar,
Office of the Thasildar,
R.K. Pet Taluk,
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Tamil Nadu.

2.The Inspector of Police,
RK Pet Police Station,
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MOHAMMED SHAFFIQ, J.

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