



W.P. No.19328 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

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P.Gunasekaran

... Petitioner

Vs.

1. The Tahsildar,
Attur Taluk,
Salem District.

2. The Taluk Surveyor,
Attur Taluk,
Krishnagiri District.

3. The Inspector of Police
Malliyakarai Police Station,
Salem district.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st and 2nd Respondents to survey the land in Survey No.379/2B and 614/1B3 measuring an extent of 0.41.00 Hectare and 0.60.66 Hectares of land, situated at Keeripatti Village, Attur Taluk, Salem District, with the aid of the 3rd respondent within the time frame fixed by this Court.

For Petitioner(s)

: Mr. J.Pradeep

For R1 and R2

: Mr.S.Balamurugan
Government Advocate

For R3

: Mr.R.Kishore Kumar



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Government Advocate (Crl. Side)

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ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of mandamus to direct the 1st and 2nd Respondents to survey the land in Survey No.379/2B and 614/1B3 measuring an extent of 0.41.00 Hectare and 0.60.66 Hectares of land, situated at Keeripatti Village, Attur Taluk, Salem District, with the aid of the 3rd respondent..

3. It is submitted by the learned counsel for the petitioner that the subject property comprised in Survey No.379/2B and 614/1B3 measuring an extent of 0.41.00 Hectare and 0.60.66 Hectares of land, situated at Keeripatti Village, Attur Taluk, Salem District, is ancestral property. A Settlement Deed dated 04.11.2003, whereby subject property was settle in favour of petitioner and registered as Document No.1182/03 before the Sub-Registrar, Attur. Thereafter, the property was transferred to petitioner's son and he is now the absolute owner and is in possession and enjoyment of the



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said property.

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3. It is further submitted by the learned counsel for the petitioner that the petitioner had taken out an application on 23.01.2025 requesting the respondents to survey the said land and had paid necessary fees as early as on 23.01.2025. Since the petitioner's representations were 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.

4. The learned Government Advocate, Mr.S.Balamurugan appearing for the Respondent Nos.1 and 2 would submit that they would consider the petitioner's representation dated 23.01.2025 to survey the subject property and complete the process within a time frame to be fixed by this Court. It is further submitted that the request for police protection would also be considered and appropriate orders would be passed by the 1st and 2nd respondent, which was agreed to by the learned counsel for the petitioner.

5. It is further submitted by the learned Special Government Pleader that in case police protection is required they would request the 3rd respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar



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appearing for the Respondent Nos. 3 would submit that if any such request is made, adequate police protection will be granted.

6. In view thereof, the writ petition stands disposed of with a direction to the 1st and 2nd respondent to consider the petitioner's representation dated 23.01.2025 and conduct survey of the subject property, after putting the petitioner, 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 1st and 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 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.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:



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MOHAMMED SHAFFIQ, J.

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