

W.P. No.21283 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.21283 of 2025

R.G.Chinnasamy

... Petitioner(s)

Vs.

1. The District Collector,
Tirupattur,
Tirupattur District.
2. The Tahsildar,
Tirupattur Taluk,
Tirupattur District.
3. The District Surveyor,
Tirupattur,
Tirupattur District.
4. The Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur District.
5. R.G.G.Govindaraj

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to survey and measure the land comprised in Survey No.93/3A, 93/3C, 93/4B, 93/4C



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situated at Rachamangalam Village, Tirupattur Taluk, Tirupattur District with assistance of the 4th respondent.

For Petitioner(s) : Mr.R.Rajarajan
For R1 to R3 : Mr.P.Ganesan
Government Advocate
For R4 : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)

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 the 5th respondent is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, to direct respondent nos. 1 to 4 to survey and measure the land comprised in Survey No.93/3A, 93/3C, 93/4B, 93/4C, situated at Rachamangalam Village, Tirupattur Taluk, Tirupattur District with assistance of the 4th respondent.

3. It is submitted by the learned counsel for the petitioner that the property comprised in Survey No.93/4A admeasuring 66.5 cents, Survey No.93/4C admeasuring 1 acre and 32 cents, Survey No.93/5 admeasureing 23.5 cents, Survey No.94/1A admeasuring 47 cents, Survey No.94/2A admesuring 15 cents



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and Survey No.94/2B admeasuring 41 cents, totally admeasuring 3.25 acres situated at Rachamangalam Village, Tirupattur Taluk, Tirupattur District, belonged to one Mr.Govindan. The petitioner purchased the above property from the said Govindan vide registered sale deed dated 08.06.2016 bearing Document No.5126/2016 on the file of SRO, Tirupattur and the petitioner is the absolute owner of the above property and has been in continuous possession and enjoyment of the same.

3.1. It is further submitted by the learned counsel for the petitioner that the property comprised in Survey No.93/1 admeasuring 1.48 acres, including a well and 3 HP motor pump set, Survey No.93/3A admeasuring 48 cents and Survey No.95/12 admeasuring 23.5 cents, totally admeasuring 2 acres and 19.5 cents situated at Rachamangalam village, belonged to one P. Damodharan. The petitioner purchased the above property from the said P. Damodharan vide registered sale deed dated 23.8.2016 bearing DocumentNo.5740/2016 on the file of SRO, Tirupattur and the petitioner is the absolute owner of the above property and has been in continuous possession and enjoyment of the same.

3.2. It is submitted by the learned counsel for the petitioner that the 5th respondent, R.G.G.Govindaraj, an adjacent land owner is disputing the extent available in Survey Nos.93/3A, 93/C, 93/4B and 93/4C. In view of the dispute the petitioner had submitted online applications on 13.06.2024 and 09.01.2025 to



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survey the land comprised in Survey Nos.93/3A, 93/C, 93/4B and 93/4C and had paid necessary fees. However, the petitioner's applications to survey was not considered by the respondents till date. Aggrieved by the same, 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, appearing for the Respondent Nos.1 to 3 would submit that they would consider the petitioner's applications dated 13.06.2025 and 09.01.2025 and conduct survey of the property comprised in Survey Nos.93/3A, 93/C, 93/4B and 93/4C within a time frame to be fixed by this Court. The request for police protection would also be considered and appropriate orders would be passed, which was agreed to by the learned counsel for the petitioner.

5. It is further submitted by the learned Government Advocate that in case police protection is required they would request the 4th respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar appearing for the 4th respondent would submit that if any such request is made, adequate police protection will be granted.



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6. In view thereof, the writ petition stands disposed of with a direction to the respondents to consider the petitioner's applications dated 13.06.2025 and 09.01.2025 and conduct survey of the property comprised in Survey Nos.93/3A, 93/C, 93/4B and 93/4C, after putting the petitioner, 5th respondent, 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 2nd and 3rd respondent to request for police protection before the 4th respondent. If any such request is made the 4th 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.

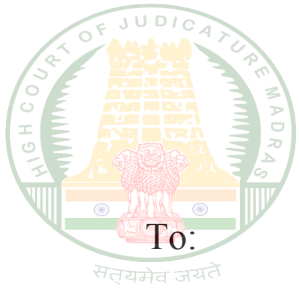
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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

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MOHAMMED SHAFFIQ, J.

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