



W.P.No.21005 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21005 of 2025

S.Mythili

... Petitioner

Vs.

1. The District Collector,
Erode - 638 011,
Erode District.
2. The Thasildar,
Taluk Office,
Kodumudi - 638 151,
Erode District.
3. The Head Surveyor,
Survey Department,
Kodumudi Taluk Office,
Kodumudi - 638 151,
Erode District.
4. The Inspector of Police,
Kodumudi Police Station,
Kodumudi - 638 151,
Erode District.

5.Ravi

... Respondents



W.P.No.21005 of 2025

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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct respondents 2 & 3 to survey the lands and to fix boundary stones in Survey No.555/2 and Natham Land Tax No.555/2B (old Survey No.152/C) to an extent of about 1377.28 sq.ft. in Kondalam Village, Kodumudi Taluk, Erode District and also issue separate patta within a time frame as stipulated by this Court.

For Petitioner	:	Mr.N.Palanikumar
For Respondents	:	Mr.A.Selvendran Spl. Govt. Pleader for R1 to R3 Mr.R.Kishore Kumar Govt. Advocate (Crl. Side) for R4

O R D E R

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents 2 & 3 to act upon the online application submitted by petitioner on 28.04.2025 wherein the petitioner is seeking for survey of the subject property and for demarcation of boundaries.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed, notice to fifth respondent is dispensed with.



W.P.No.21005 of 2025

WEB COPY

3. The case of the petitioner is that she has purchased the property comprised in Re-survey No.555/2 and Natham Land Tax No.555/2B and Old Survey No.152/C measuring an extent of 1377 sq.ft situated at Kondalam Village, Kodumudi Taluk, Erode District vide sale deed dated 13.05.2024 registered as Document No.1038 of 2024 on the file of Sub Registrar, Sivagiri. The Revenue Divisional Officer, Erode by proceedings in Pa.Mu.979/2024/A1, dated 20.02.2024 have issued patta in favour of petitioner. The Zonal Deputy Tahsildar, Kodumudi have also issued Natham Land Tax Patta on 26.04.2024 and that adangal and chitta also stands in the name of petitioner. Petitioner wanted a survey to be conducted in the subject property in order to demarcate the boundaries. When attempt was made to survey the property, there was resistance from fifth respondent. Therefore, petitioner made a complaint on 27.04.2025 before the Kodumudi Police Station and CSR No.324 of 2025 was also issued. Thereafter, petitioner made an application to respondents on 28.04.2025 enclosing all necessary details along with the prescribed payment of fee. However, the survey has not been conducted. Hence, the present writ petition has been filed.



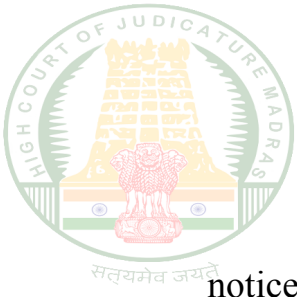
W.P.No.21005 of 2025

WEB COPY

4. At the outset, it is submitted by Mr.A.Selvendran, learned Additional Government Pleader appearing for respondents 1 to 3 that they will consider the petitioner's application and survey the petitioner's land within a period of eight weeks, which was agreed to by learned counsel for petitioner.

5. It is further submitted by learned Additional Government Pleader that in case Police protection is required, respondents 2 & 3 would request fourth respondent for the same. When this was pointed out, learned Government Advocate (Crl.Side) for fourth respondent would submit that if any such request is made, adequate police protection will be granted.

6. In view thereof, this Writ Petition stands disposed of with a direction to the concerned respondent to consider petitioner's application dated 28.04.2025 to carry out survey and demarcate petitioner's land and pass appropriate orders after putting petitioner, fifth respondent, adjacent land owners, petitioner's vendor and any other rival claimants, if any, on



W.P.No.21005 of 2025

WEB COPY

notice within a period of eight weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is open to respondents 2 & 3 to request for Police protection before fourth respondent. If any such request is made, fourth respondent is directed to provide adequate Police protection for conducting the survey. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law. No costs.

17.06.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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W.P.No.21005 of 2025

MOHAMMED SHAFFIQ, J.

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