



W.P.No.23210 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23210 of 2025

K.Palanivel,
S/o.Kandasamy

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Kollimalai Taluk,
Namakkal District.

2.The Head Surveyor,
Taluk Office,
Kollimalai Taluk,
Namakkal District.

3.The Inspector of Police,
Senthamangalam,
Namakkal District.

4.Chandran,
S/o.Alungamuthu

5.Palanisamy,
S/o.Alungamuthu

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent dated 30.05.2025 and quash the same and consequently direct the first and second respondents to conduct the survey of the petitioner's property comprised in Survey Nos.168, 190/3, 193/1, 2, 3 situated at Bailnadu Village, Kollimalai Taluk, Namakkal District, based on his application dated 03.02.2024 and with the help of adequate police aid.

For Petitioner : Mr.R.Ramaguru

For Respondents :
For R1 and R2 : Mr.P.Sathish
Additional Government Pleader

For R3 : Mr.R.Kishore Kumar
Government Advocate (Criminal 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 fourth and fifth respondents is dispensed with.

2. The present writ petition has been filed by the petitioner, challenging the impugned order bearing Na.Ka.No.2191/2024 dated 30.05.2025 passed by the first respondent and to quash the same and further to direct the first and second



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respondents to conduct the survey of the petitioner's property along with adequate police protection.

3. By the impugned order dated 30.05.2025, the petitioner's request to conduct survey of the property comprised in S.Nos.168, 190/3, 193/1, 193/2 and 193/3 situated at Bailnadu Village, Kollimalai Taluk, Namakkal District was rejected on the ground that the petitioner must show that he has been in possession of the subject property. In the impugned order, it was stated that the petitioner had purchased the subject property on the basis of earlier entries in the revenue records. The revenue records namely the A-Register, Chitta, Field Measurement Book (FMB) have been modified/changed/alterd pursuant to a re-survey and thus, unless the petitioner is able to show the possession over the subject property, survey cannot be conducted. Aggrieved by the same, the present writ petition has been filed before this Court.

4. It is submitted by the learned counsel for the petitioner that the petitioner is a registered holder in terms of Section 3(v) of the Tamil Nadu Survey and Boundaries Act, 1923 (Tamil Nadu Act No.VIII of 1923) by virtue of the fact that he has purchased the properties comprised in S.Nos.168, 190/3, 193/1, 193/2 and



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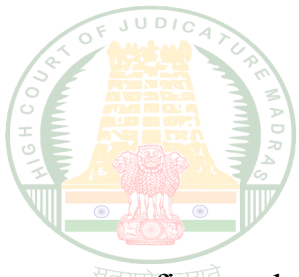
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193/3 vide a registered Sale Deed bearing Doc.No.83 of 2023 dated 09.01.2023 and as on date the petitioner is the absolute owner of the subject property and is in enjoyment of the same.

5. The learned Additional Government Pleader, Mr.P.Sathish appearing for the first and second respondents would submit that the first and second respondents would conduct re-survey of the subject property based on the petitioner's application dated 03.02.2024 and appropriate orders would be passed by the first and second respondents, which was agreed to by the learned counsel for the petitioner.

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

7. In view thereof, the writ petition stands disposed of with a direction to the



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first and second respondents to conduct survey of the subject property, after the petitioner, the fourth and fifth respondents, adjacent land owners and other interested parties including rival claimants if any, are put 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 and second respondents to request for police protection before the third respondent. If any such request is made, the third 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.

30.06.2025

Speaking (or) Non Speaking Order
Neutral Citation : Yes / No

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MOHAMMED SHAFFIQ, J.



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