



W.P.No.24241 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

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D.Prabakaran

: Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Kallakurichi District -606 202.

2.The Revenue Division Officer,
O/o.The Revenue Division Officer,
Kallakurichi District -606 202.

3.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.

4.The Village Administrative Officer,
Kuthakudi Village and Post,
Kallakurichi District.

5.The Sub Inspector of Police,
Varanjaram Police Station,
Varanjaram.

6.Iyappan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,



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praying to issue Writ of Mandamus, directing the third respondent to survey the land and to issue a separate patta in the name of petitioner for the land bearing the Old Survey No.137/6, new Survey No.361/13 measuring an extent of 0.11 in 0.39 cents in Kuththakkudi Village, Kallakurichi Taluk & District and affix boundaries and pass orders.

For Petitioner : Mr.M.Jagan

For Respondents : Mr.S.Jayachandran
Government Advocate
for R1 to R4

Mr.R.Kishore Kumar
Government Advocate (Criminal Side)
for R5

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. 6 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, to direct the third respondent to survey the land and issue a separate patta in the name of



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petitioner for the land comprised in Old Survey No.137/6, new Survey No.361/13 measuring to an extent of 0.11 in 0.39 cents situated at Kuththakkudi Village, Kallakurichi Taluk & District and affix boundaries.

3. It is submitted by the learned counsel for the petitioner that petitioner's grandfather purchased the subject property vide sale deed registered as Document No.1616 of 1950 (0.06 cents) and Document No.488 of 1952 (0.05 cents) before SRO, Thiyaaduruvam. After the demise of petitioner's grandfather, petitioner's father inherited the subject property and submitted representations dated 03.08.2020 and 01.03.2021 before the respondents seeking issuance of separate patta in his name and for survey in respect of the subject property. However the said representations were not considered so far. After the demise of petitioner's father, petitioner inherited the subject property. Thereafter, the petitioner submitted representations dated 09.03.2022 and 20.09.2022 before the respondents to survey and affix boundaries and issue separate patta in his favour in respect of the subject property. However, the said representations were not considered so far. Hence, the petitioner has filed the present writ petition.

4. On this being pointed out, the learned Government Advocate for



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respondents 1 to 4 would submit that the petitioner has not taken out online applications for survey and affix boundaries, and for issuance of separate patta and appropriate fee has not been paid. If online applications are taken out, the respondents would consider the same and carry out survey and affix boundaries and issue separate patta, in accordance with law, within a time frame to be fixed by this Court, 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 5th respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar appearing for the 5th respondent would submit that if any such request is made adequate police protection will be granted.

6. In view thereof, the petitioner is directed to file online applications for survey and affix boundaries and for issuance of separate patta in respect of the subject property.

6.1. If any such online application is filed by the petitioner for survey and affix boundaries in respect of the subject property, the official respondents shall



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consider the same and carry out a survey and affix boundaries in the subject property and complete the process, within a period of twelve (12) weeks from the date on which the online application is filed by the petitioner, after giving prior notice to the petitioner, 6th respondent, adjacent land owners and other interested parties including rival claimants if any. It is open to the respondents 1 to 4 to request for police protection before the 5th respondent. If any such request is made the 5th respondent is directed to provide adequate police protection for conducting the survey.

6.2. As regards issuance of separate patta, if any such online application is filed by the petitioner seeking issuance of separate patta in his favour, in respect of the subject property, the official respondents shall consider the same on merits and pass orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, 6th respondent and any other interested persons/stake holders, within a period of twelve (12) weeks from the date on which the online application is filed by the petitioner.

6.3. 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



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matter on its own merits and in accordance with law.

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7. Accordingly, the writ petition stands disposed of. No costs.

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Speaking (or) Non Speaking Order

Neutral Citation: Yes/No

mrn

To

1.The District Collector,
O/o.The District Collector,
Kallakurichi District -606 202.

2.The Revenue Division Officer,
O/o.The Revenue Division Officer,
Kallakurichi District -606 202.

3.The Tahsildar,
Kallakurichi Taluk,

6/8



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4.The Village Administrative Officer,
Kuthakudi Village and Post,
Kallakurichi District.

5.The Sub Inspector of Police,
Varanjaram Police Station,
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MOHAMMED SHAFFIQ, J.

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