



W.P.No.24689 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.24689 of 2025

Sivagami,
W/o.Rajendran
Represented by its Power Agent Alfred Raj

... Petitioner

Vs.

- 1.The District Collector,
Tiruvallur District,
Tiruvallur.
- 2.The Revenue Divisional Officer,
Tiruvallur District,
Gummidipoondi.
- 3.The Superintendent of Police,
Tiruvallur District,
Tiruvallur.
- 4.The Tahsildar,
Tiruvallur District,
Gummidipoondi.
- 5.The Inspector of Survey,
Office of Tahsildar,
Gummidipoondi Taluk,
Tiruvallur District.



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6.The Inspector of Police,
SIPCOT Police Station,
Tiruvallur District.

7.Munuswamy,
S/o.Rajagopal

8.Shanthi,
W/o.Munuswamy

9.Venkatesan,
S/o.Munuswamy

10.Viji,
S/o.Munuswamy

11.Venkatachalabathi,
S/o.Dhaniyalan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondents 1 to 6 to survey the property comprised in Survey No.67/1A, Pethikuppam Village, Gummidipoondi Taluk, Tiruvallur District and to fix the metes and bounds along with adequate police protection under the supervision of the 3rd respondent, based on the application of the petitioner dated 02.09.2024.

For Petitioner : Mr.C.Loganathan

For Respondents : Mr.A.Selvendran
For R1, R2, R4 and R5 Special Government Pleader

For R3 and R6 : Mr.R.Kishore Kumar
Government Advocate (Criminal 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. 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 respondents 7 to 11 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus, to direct the respondents 1 to 6 to survey the property comprised in Survey No.67/1A, Pethikuppam Village, Gummidipoondi Taluk, Tiruvallur District and to fix the metes and bounds along with adequate police protection under the supervision of the 3rd respondent on the basis of an online application of the petitioner dated 02.09.2024.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the duly authorized Power of Attorney Holder of the lawful owner of the property in S.No.67/1A, measuring an extent of 0.14.5 hectares (36 cents), situated at Pethikuppam Village, Gummidipoondi Taluk, Tiruvallur District. The subject property originally belonged to one Rajendran. During his lifetime, a portion of the property was acquired by the National Highways Authority of India (NHAI)



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for public purposes, and Rajendran was compensated through a settlement arrangement. After his demise, his legal heirs executed a registered Release Deed dated 03.11.2022 viz., Doc.No.6529 of 2022 on the file of the Sub-Registrar Office, Gummidipoondi, releasing their respective rights and shares in the remaining extent of the subject property in favour of Mrs.Sivagami, thereby vesting complete ownership with her.

3.1. It is further submitted by the learned counsel for the petitioner that, Mrs.Sivagami, as the absolute owner of the land, executed a registered Power of Attorney Deed dated 30.08.2024 viz., Doc.No.63/BKIV/2024 on the file of the Sub-Registrar Office, Gummidipoondi in favour of one Alfred Raj. The subject land was covered under Patta No.8615, and stands in the name of Mrs.Sivagami. The Power of Attorney Holder, made an application on 02.09.2024 to the 4th respondent to survey the subject property and to fix the metes and bounds. When the land surveyor tried to survey the subject property on 03.09.2024, the private respondents threatened the petitioner as well as the official respondents from surveying the land. In this regard, the petitioner has given a complaint before the 3rd respondent and a representation before the 4th respondent on 25.09.2024, to survey the subject land along with police protection. However, no action has been



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taken by the official respondents so far. Hence, this writ petition.

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4. At the outset, it is submitted by the learned Special Government Pleader for the respondents 1, 2, 4 and 5 that, pursuant to the above online application dated 02.09.2024, there were at least three attempts made by the 4th respondent to conduct a survey over the subject property. However, in view of the resistance by the 7th respondent, they were unable to proceed with the survey. It was also submitted that in view of the resistance, they had also sought for police protection and even with the police protection, they were unable to proceed with the survey inasmuch as the 7th respondent continued to resist. It is further submitted by the learned Special Government Pleader that in case police protection is required, request would have to be made with the 3rd and 6th respondents.

4.1. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar, appearing for the 3rd and 6th respondents would submit that if any such request is made, the same would be considered and adequate police protection will be granted if necessary.



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5. In view thereof, this writ petition stands disposed of with a direction to the 2nd respondent to conduct the survey on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner as well as the 7th to 11th respondents and any other interested persons/stake holders, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is open to the 2nd respondent to request for police protection before the 3rd and 6th respondents. If any such request is made, the 3rd and 6th respondents are directed to provide adequate police protection for conducting the survey and for fixing the metes and bounds of the subject property. 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 2nd 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
Neutral Citation : Yes / No

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To
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Tiruvallur.
- 2.The Revenue Divisional Officer,
Tiruvallur District,
Gummidipoondi.
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MOHAMMED SHAFFIQ, J.

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