



W.P.No.26848 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.26848 of 2025

1.R.M.Vijayakumar
2.Saravanakumar

: Petitioners

Vs.

1.The Thasildhar,
Salem.

2.The Inspector of Police,
Ammamet Police Station,
Salem City,
Salem.

3.Tamilselvan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus directing the first respondent to survey the property T.S.No.2, Block 76 Ward AK, Thathampatti Village, Ammapettai, Salem based on the sale deeds dated 12.09.2019 registered in the office of Joint Sub Registrar No.1, Salem East in Document Nos.3863 and 3864 of 2019 with the aid of the second respondent, consequently direct the first respondent to sub-divide and mutate name of the petitioners in revenue records within a reasonable time as fixed by this Court and pass orders.



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For Petitioner : Mr.D.Jeevitha

For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1

Mr.R.Kishore Kumar
Government Advocate (Criminal side)
for R2

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.3 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the first respondent to survey the property comprised in T.S.No.2, situated at Block 76 Ward AK, Thathampatti Village, Ammapettai, Salem based on the sale deeds dated 12.09.2019 registered in Document Nos.3863 and 3864 of 2019 in the office of Joint Sub Registrar No.1, Salem East with the aid of the second respondent, consequently direct the first respondent to sub-divide and mutate names of the



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petitioners in revenue records within a time fixed by this Court.

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3. It is the case of the petitioners that they submitted applications dated 09.07.2024 before the first respondent seeking sub division and mutation of patta in their names, in respect of the subject property and has also paid the appropriate fees. On receipt of the said applications, when the surveyor attempted to survey the subject property, there was resistance by the third respondent. Hence, the first petitioner made a complaint dated 04.07.2025 before the second respondent seeking police protection. However, the said complaint has not been considered so far. Aggrieved by the same, the petitioners have filed the present writ petition.

4. At the outset, it is submitted by Mr.P.Sathish, learned Additional Government Pleader for the first respondent that the above applications submitted by the petitioners would be considered and appropriate orders would be passed within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioners.



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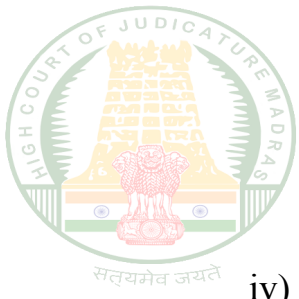
5. It is further submitted by the learned Additional Government Pleader that in case police protection is required they would request the 2nd respondent. When this was pointed out, the learned Government Advocate, Mr.R.Kishore Kumar appearing for the 2nd respondent would submit that if any such request is made adequate police protection will be granted.

6. In view of the limited relief that is prayed, this court is inclined to dispose of the writ petition with following directions:

i) As regards survey, the first respondent shall consider petitioners' request for survey in the subject property, in accordance with law, after issuing notice to the petitioner, third respondent, adjacent land owners and all other interested parties including rival claimants, if any.

ii) If any such request is made by the first respondent, the second respondent is directed to provide adequate police protection for conducting the survey.

iii) Though facts have been set out extensively in the affidavit, this court does not propose to deal with it while leaving it open to the first respondent to call for any document/conduct enquiry to satisfy itself of the petitioners' entitlement for requesting survey of subject property.



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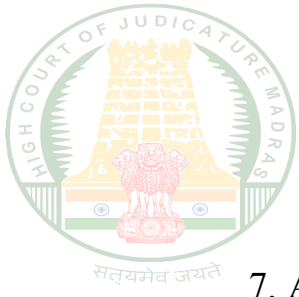
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iv) As regards sub division and mutation of patta, the first respondent shall consider the petitioners' application dated 09.07.2024, after issuing notice, conducting enquiry and affording a reasonable opportunity of hearing to the petitioner, 3rd respondent and all other interested parties including rival claimants, if any, pass appropriate orders.

v) Though facts have been set out in affidavit, in view of the limited relief that is sought to be granted, I do not propose to examine the same, lest it may influence the authority. The authority shall independently consider the facts and law set out in the application and pass appropriate order in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act and Rules.

vi) The entire process shall be completed within a period of sixteen (16) weeks from the date of uploading of web copy without waiting for the receipt of certified copy.

vii) 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. Rights and contentions of the petitioner and all other interested parties are left open.



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7. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.07.2025

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

To

1.The Thasildhar,
Salem.

2.The Inspector of Police,
Ammamet Police Station,
Salem City,
Salem.



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MOHAMMED SHAFFIQ, J.

(mrn)

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