



W.P.No.27083 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.27083 of 2025

Kumarasamy

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Erode District.

2.The Tahsildar,
O/o.The Tahsildar,
Nambiyur Post and Taluk,
Erode District.

3.The Assistant Director of Survey and Land Records,
O/o.The Assistant Director of Survey and Land Records,
Erode-Post and District.

4.The Inspector of Police,
O/o.The Inspector of Police,
Nambiyur Taluk,
Erode District.

5.K.T.Selvaraj

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the proceedings made in O.Mu.No.460/2024/S1 (Oo.Mu.No.460/2024S1) dated 09.07.2024 on the file of the second respondent/Tahsildar, Nambiyur and quash the same and further direct the respondent Nos.2 and 3 to complete the survey by identifying the offset point 13 and junction point-E of the petitioner's land in Survey Nos.832 and 854/3 to an extent of 5.10 acres, Nambiyur B Village, Nambiyur Taluk, Erode District, with the aid of the fourth respondent/Inspector of Police, Nambiyur.

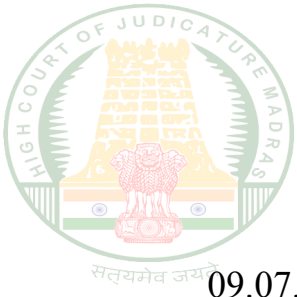
For Petitioner : Mr.D.Veerasekharan

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3

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 5th respondent is dispensed with.

2. This Writ Petition is filed challenging the impugned order dated



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09.07.2024 issued by the second respondent, whereby, petitioner's request for conducting survey of the properties comprised in Survey No.832 and 854/3 measuring an extent of 5.10 acres situated at Nambiyur B Village, Nambiyur Taluk, Erode District, was rejected on the ground that when the Surveyor made an attempt to survey the subject properties, the fifth respondent and his family members made objections and threatened them by pouring kerosene on themselves.

3. At the outset, it is submitted by the learned Special Government Pleader appearing for the respondents 1 to 3 that the petitioner's request for conducting survey of the subject properties would be considered, keeping in view the Tamil Nadu Survey and Boundaries Act, 1923 and if required Police protection, would be sought.

4. In view of the submissions made by the learned Special Government Pleader appearing for the respondents 1 to 3, the second respondent is directed to call for the documents from the petitioner to ensure



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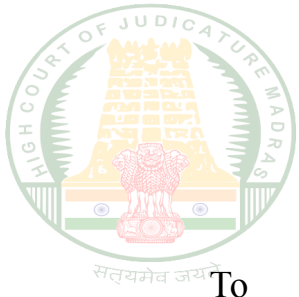
that he is the registered holder within the purview of the Tamil Nadu Survey and Boundaries Act, 1923. On being satisfied, that the petitioner is the Registered Holder as per the Tamil Nadu Survey and Boundaries Act, 1923, the second respondent shall issue notice to the petitioner as well as the fifth respondent, adjacent land owners and any other interested parties and thereafter proceed to conduct survey by taking aid of the fourth respondent to provide police protection, if needed.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

29.07.2025

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

ssb



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MOHAMMED SHAFFIQ, J.

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