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W.P.No.27750 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2025

Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.27750 of 2025

Prabhakaran

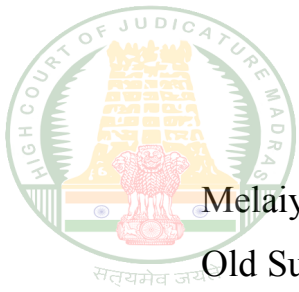
...Petitioner

Versus

- 1.The District Collector,
Mayiladuthurai District,
Mayiladuthurai.
- 2.The Tahsildar,
O/o. Tahsildar Office,
Seerkazhi Taluk,
Mayiladuthurai District.
- 3.The Land Surveyor,
O/o. Tahsildar Office,
Seerkazhi Taluk,
Mayiladuthurai District.
- 4.The Inspector of Police,
Poombuhar Police Station,
Seerkazhi Taluk,
Mayiladuthurai District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 and 3 to survey, demarcate the petitioner land to fix boundaries, comprised in



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Melaiyur Village Main Road, Seerkazhi Taluk, Mayiladuthurai District in Old Survey No.158/5, New Survey No.158/5A1A1 and in No.158/5A2A1 to an extent of 550 square feet and 1140 square feet with the aid and protection of 4th respondent, forthwith petitioner's representation dated on 14.05.2025.

For Petitioner : Mr.T.Padmanabhan
For Respondents – 1 to 3: Mr.P.Ganesan,
Government Advocate
For Respondent – 4 : Mr.R.Kishore Kumar,
Government Advocate (Crl.Side)

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of mandamus to direct the respondents 1 and 3 to survey the petitioner's land comprised in Old Survey No.158/5, New Survey Nos.158/5A1A1 & 158/5A2A1 measuring an extent of 550 Sq.ft & 1,140 Sq.ft respectively situated at Melaiyur Village Main Road, Seerkazhi Taluk, Mayiladuthurai District and demarcate the same to fix boundaries with the protection of 4th respondent forthwith by considering the petitioner's Representation dated 14.05.2025.

3. Mr.T.Padmanabhan, learned counsel for the petitioner submitted



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that petitioner submitted two Online Applications bearing Nos.2025/0123/38/002781 & 2025/N123/38/002505 dated 16.05.2025 & 08.05.2025 respectively, for conducting survey and to demarcate the same to fix boundaries in the subject property and also paid necessary fees. In this regard, petitioner has made a Representation dated 14.05.2025 to respondents 1 to 3. Further, petitioner had also made a representation dated 14.05.2025 to 4th respondent seeking to provide police protection while conducting survey in the subject property. However, respondents 1 to 3 have not yet taken any steps to conduct survey in the subject property and demarcate the same to fix boundaries. Hence, petitioner has filed the present writ petition.

4. Mr.P.Ganesan, learned Government Advocate appearing for the respondents 1 to 3 submitted that the 2nd respondent would consider the petitioner's Online Applications dated 16.05.2025 & 08.05.2025, within a time frame to be fixed by this Court.

4.1. It is further submitted by the learned Government Advocate for



respondents 1 to 3 that in case, police protection is required for surveying the subject property, the respondents 1 to 3 may be permitted to request the 4th respondent.

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5. When the above submission was made by the learned Government Advocate for respondents 1 to 3, Mr.R.Kishore Kumar, learned Government Advocate (Criminal Side) appearing for the 4th respondent submitted that if any such request for police protection is made, adequate police protection would be granted.

6. The submissions made by the learned Government Advocate for respondents 1 to 3 as well as learned Government Advocate (Criminal Side) for 4th respondent have been fairly conceded by the learned counsel for petitioner.

7. In view of the limited relief sought by the petitioner, this Court is inclined to dispose of this Writ Petition with the following directions:

(i) The 2nd respondent shall consider the petitioner's Online Applications dated 16.05.2025 & 08.05.2025, in accordance with law, after



issuing notice to the petitioner, adjacent land owner and all other interested parties including rival claimants, if any.

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(ii) 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 respondents to call for any document/conduct enquiry if any, while considering the petitioner's Online Applications necessary for conducting survey of subject property. It is open to the respondents 1 to 3 to call for documents to satisfy itself of the petitioner's entitlement for requesting survey of subject property.

(iii) The 2nd respondent shall complete the entire process within a period of eight (8) weeks from the date of uploading of the web copy of this order without waiting for the receipt of a certified copy of this order.

(iv) 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.

(v) It is also open to the respondents 1 to 3 to request the 4th



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respondent, for providing police protection, if the same is required. If any

such request is made, the 4th respondent shall provide adequate police

protection for conducting survey in the subject property. No costs.

01.08.2025

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The District Collector,
Mayiladuthurai District,
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- 2.The Tahsildar,
O/o. Tahsildar Office,
Seerkazhi Taluk, Mayiladuthurai District.
- 3.The Land Surveyor,
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MOHAMMED SHAFFIQ, J.



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