



W.P. No.28301 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.28301 of 2025

P.Sampath

Petitioner(s)

Vs

- 1.The District Collector,
Office of the District Collector,
Salem, Salem District.
- 2.The District Surveyor,
Salem District, Salem.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Salem Rural, Salem.

4.Raja M

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation dated 19.04.2025 to measure the property of an extent of 15.95 acres lands in Survey Nos 93/3, 93/4, 94/1C, 94//2C, 94/1A, 94/2A1, 94/4 and 97/1A1A fixing up boundary stones situate in Poolampatti Village, Edapadi Taluk, Salem District with police protection.

For Petitioner(s) : Mr.M.Balasubramanian

For Respondent(s) : Mr.A.Selvendran
R1 & R2 Special Government Pleader



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For R3

: Mr.R.Kishore Kumar
Government Advocate (Crl. 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 4th respondent is dispensed with.

2. The present writ petition is filed praying for a writ of Mandamus to direct respondents 2 and 3 to consider petitioner's representation dated 19.04.2025 to measure properties comprised in Survey Nos 93/3, 93/4, 94/1C, 94//2C, 94/1A, 94/2A1, 94/4 and 97/1A1A with police protection.

3. It is submitted by the learned counsel for petitioner that petitioner submitted a representation before respondents 1 and 2 seeking survey of the properties comprised in Survey Nos 93/3, 93/4, 94/1C, 94//2C, 94/1A, 94/2A1, 94/4 and 97/1A1A, measuring an extent of 15.95 acres situated at Poolampatti Village, Edapadi Taluk, Salem District along with police protection. It is stated that petitioner has also paid the necessary fees for the same, however, the representation is stated to be kept pending. Aggrieved, petitioner has filed the present writ petition.



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4. At the outset, it is submitted by Mr.A.Selvendran, learned Special Government Pleader for respondents 1 and 2 that petitioner may have to submit an online application seeking survey of subject properties along with appropriate fee. If any such application is submitted by petitioner, the same would be considered and appropriate orders would be passed on merits after issuing notice and affording reasonable opportunity of hearing to the petitioner, 4th respondent, adjacent land owners and other interested parties within a time frame to be fixed by this Court. Agreed to by the learned counsel for petitioner.

5. Mr.R.Kishore Kumar, learned Government Advocate (Crl. Side) appearing for respondent 3 would submit that if any request for police protection is made, adequate protection would be provided for carrying out survey.

6. In view thereof, the writ petition stands disposed of. It is open to the petitioner to take out a fresh online application seeking survey of subject properties along with appropriate fee. If any such application is filed, the appropriate respondent shall consider the same in accordance with law, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, 4th respondent, adjacent land owners and all other interested parties



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including rival claimants, if any. The concerned authority shall seek police protection, if required. If any such protection is sought for, adequate protection shall be extended by 3rd respondent for carrying out survey.

6.1. 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 application.

6.2. The entire process shall be completed within a period of 8 weeks from the date of submission of such application 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 matter on its own merits and in accordance with law. Rights and contentions of the petitioner, 4th respondent and all other interested parties are left open. No costs.

05.08.2025

Speaking (or) Non Speaking Order

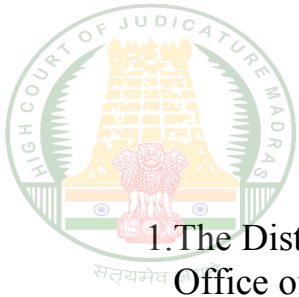
Index : Yes/ No

Neutral Citation: Yes/No

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To:

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MOHAMMED SHAFFIQ, J.

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