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W.P.No.27790 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2025

Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.27790 of 2025

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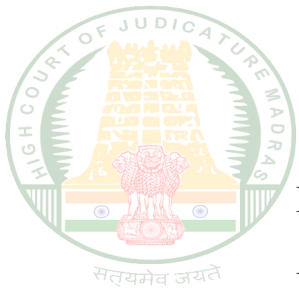
...Petitioner

Versus

- 1.The District Collector,
Kallakurichi District.
- 2.The Tahsildar,
Ulundurpet Taluk,
Kallakurichi District.
- 3.The Surveyor,
Kallakurichi District.
- 4.The Inspector of Police,
Thiyagathurgam Police Station,
Kallakurichi District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to survey the land at survey number 116/5 measuring an extent of 1¾ cents at Periyamampattu Village, Kallakurichi District based on the Application dated 08.07.2024 and 08.07.2025 submitted by the petitioner.



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For Petitioner : Ms.R.Poornima
For Respondents – 1 to 3 : Mr.S.Jayachandran,
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 relief sought in this writ petition is to direct the respondents to survey the land comprised in S.No.116/5 measuring an extent of 1¾ cents situated at Periyamampattu Village, Kallakurichi District based on the Online Applications dated 08.07.2024 and 08.07.2025 submitted by the petitioner.

3. Ms.R.Poornima, learned counsel for the petitioner submitted that the petitioner submitted two Online Applications dated 08.07.2024 and 08.07.2025 for conducting survey of the land comprised in S.No.116/5 measuring an extent of 1¾ cents situated at Periyamampattu Village, Kallakurichi District and petitioner paid the necessary fees for the same, but,



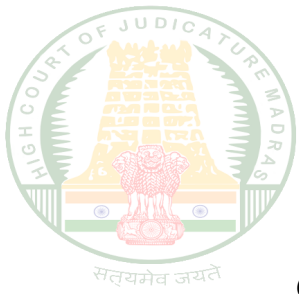
the respondents 1 to 3 have not taken any steps to conduct the survey in the said land. Hence, the petitioner has filed this writ petition.

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4. Mr.S.Jayachandran, learned Government Advocate appearing for the respondents 1 to 3 submitted that the respondents would consider the petitioner's Online Applications dated 08.07.2024 and 08.07.2025, within a time frame to be fixed by this Court.

4.1. It is further submitted by the learned Government Advocate for the respondents 1 to 3 that in case, police protection is required for surveying the subject land, the respondents 1 to 3 may be permitted to request the 4th respondent.

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



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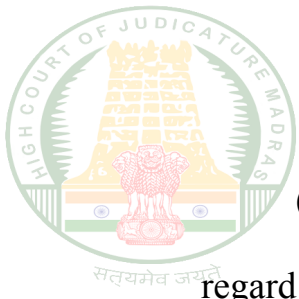
6. The submissions made by the learned Government Advocate for the respondents 1 to 3 as well as the learned Government Advocate (Criminal Side) for the 4th respondent have been fairly conceded by the learned counsel for the petitioner.

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 concerned respondent shall consider the petitioner's Online Applications dated 08.07.2024 and 08.07.2025, in accordance with law, after issuing notice to the petitioner, adjacent land owners and all other interested parties including rival claimants, if any.

(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 to satisfy itself of the petitioner's entitlement for requesting survey of subject land.

(iii) The respondent shall complete the entire process within a period of eight 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.



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(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 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



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To
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- 1.The District Collector,
Thirupathur District.
- 2.The Tahsildar,
Thirupathur Taluk Office,
Thirupathur Taluk & District – 635 602.
- 3.The Head Surveyor,
Thirupathur Taluk Office,
Thirupathur Taluk & District – 635 602.
- 4.The Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur District – 635 601.



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MOHAMMED SHAFFIQ, J.

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