



W.P.No.28611 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.08.2025

WEB COPY

Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.28611 of 2025

- 1.Sesili
- 2.Parisuthamari

...Petitioners

Versus

- 1.The Tahsildar,
Omalur Taluk Office,
Omalur, Salem District.
- 2.The Surveyor,
Omalur, Taluk Office,
Omalur, Salem District.
- 3.The Village Administrative Officer,
56, Ettikuttapatti (Group) Village,
Omalur Taluk, Salem District.
- 4.The Superintendent of Police,
District Police Office,
Salem District.
- 5.The Inspector of Police,
Omalur Police Station,
Omalur, Salem District.
- 6.Chinnammal
- 7.Arunalanathan
- 8.Dominic



9.Arokiasamy
10.Jayaraj

11.Micheal Mary

12.Annammal

13.Arokkiyasami

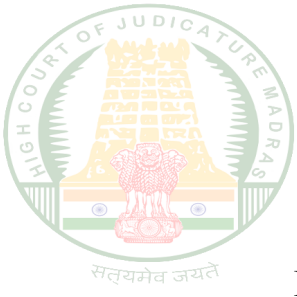
...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st to 3rd respondents to survey the land and to issue separate sub-division patta based on the petitioner's online application No.2025/0123/08/008576 and application No.2025/0105/08/587340 dated 14.03.2025 comprised in Survey No.8/4, 9/3B2 situated in Naranampalayam Village, Omalur Taluk, Salem District based on the civil court decree and judgment in O.S.No.221 of 2003 dated 25.01.2019 passed by learned District Munsif Court, Omalur, Salem District and further directing to 4th and 5th respondents to provide adequate police protection at the time of survey and revenue proceedings based on the petitioner's representation letter dated 02.07.2025, within a time frame that may be stipulated by this Court.

For Petitioners : Mr.B.Jayashree

For Respondents – 1 to 3 : Mr.S.Jayachandran,
Government Advocate

For Respondents – 4 & 5 : Mr.R.Kishore Kumar,
Government Advocate (Crl.Side)



ORDER

WEB COPY

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 in this writ petition, notice to respondents 6 to 13 is dispensed with.

2. The relief sought in this writ petition is to direct the respondents 1 to 3 to survey and to issue separate sub-division Patta to the land comprised in Survey No.8/4, 9/3B2 situated in Naranampalayam Village, Omalur Taluk, Salem District based on the petitioners' Online Application No.2025/0123/08/008576 and Application No.2025/0105/08/587340 dated 14.03.2025 and also, based on the Civil Court decree and judgment dated 25.01.2019 in O.S.No.221 of 2003 passed by learned District Munsif Court, Omalur, Salem District and further, to direct the respondents 4 & 5 to provide adequate police protection at the time of survey and revenue proceedings based on the petitioners' Representation Letter dated 02.07.2025, within a time frame that may be stipulated by this Court.

3. Ms.B.Jayashree, learned counsel for the petitioners submitted that

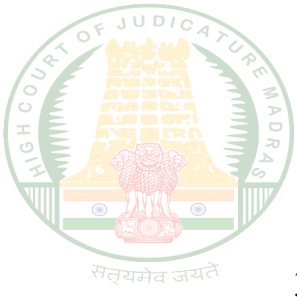


WEB COPY

petitioners are joint owners of the agricultural lands comprised in Survey Nos.8/4 and 9/3B2 measuring an extent of 95 cents situated at Naranampalayam Village, Omalur Taluk, Salem District. It is submitted that respondents 6 to 13 attempted to encroach petitioners' agricultural lands illegally and hence, petitioner filed a Civil Suit in O.S.No.221 of 2003 before the District Munsif Court, Omalur.

3.1. It is further submitted by the learned counsel for the petitioners that on 25.01.2019, the aforesaid suit was decreed in favour of the petitioners. Under these circumstances, the petitioners filed Online Application Nos.2025/0123/08/008576 and 2025/0105/08/587340 dated 14.03.2025 respectively, seeking to survey their agricultural lands and issue separate sub-division Patta.

3.2. The learned counsel for the petitioners also submitted that on 08.07.2025, the 2nd respondent and other Revenue Officials came to survey the petitioners' lands, but, the respondents 6 to 13 have obstructed the 2nd respondent and other Revenue Officials from conducting survey in the petitioners' lands.



WEB COPY

3.3. It is submitted by the learned counsel for the petitioners that the petitioner gave a Representation dated 02.07.2025 to the 4th respondent, requesting to provide police protection at the time of conducting survey of petitioners' lands. However, on 08.07.2025, when the 2nd respondent and other Revenue Officials came to conduct survey in the petitioners' lands, the Police Officials did not provide any police protection.

4. Mr.S.Jayachandran, learned Government Advocate appearing for the respondents 1 to 3 submitted that if the petitioners submit an Online Application respectively, seeking to survey their agricultural lands and issue separate sub-division Patta and also, if they pay necessary fees for carrying out the said exercises, the concerned respondent would consider their Online Applications in accordance with law, 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 petitioners' lands, the respondents 1 to 3 may be permitted to request the respondents 4 & 5.

WEB COPY

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 respondents 4 & 5 submitted that if any request for police protection is made, adequate police protection would be granted.

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 respondents 4 & 5 have been fairly conceded by the learned counsel for the petitioners.

7. In view of the limited relief that is prayed, this Court is inclined to issue the following directions:

- (i) The petitioners are directed to submit an Online Application



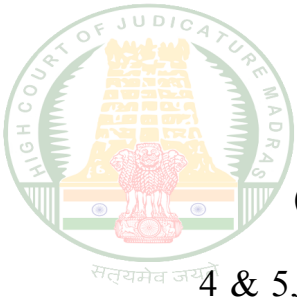
WEB COPY

seeking survey of their agricultural lands and issuance of separate sub-division Patta and also, directed to pay necessary fees for carrying out the said exercise, within a period of four 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.

(ii) On submission of such Online Applications by the petitioners, the concerned respondent shall consider the same in accordance with law, after issuing notice to the petitioners, respondents 6 to 13, adjacent land owners and all other interested parties, if any, within a period of eight weeks from the date of submission of petitioners' Online Applications.

(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 respondents to call for any document/conduct enquiry to satisfy itself of the petitioners' entitlement for requesting survey of subject property.

(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 petitioners and all other interested parties are left open.



W.P.No.28611 of 20__

WEB COPY

(v) It is also open to the respondents 1 to 3 to request the respondents 4 & 5, for providing police protection, if the same is required. If any such request is made, the respondents 4 & 5 shall provide adequate police protection for conducting survey in the petitioners' lands.

8. In the result, this Writ Petition stands disposed of with the above directions. No costs.

07.08.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

8/10



W.P.No.28611 of 20__

WEB COPY

- 1.The Tahsildar,
Omalur Taluk Office,
Omalur, Salem District.
- 2.The Surveyor,
Omalur, Taluk Office,
Omalur, Salem District.
- 3.The Village Administrative Officer,
56, Ettikuttapatti (Group) Village,
Omalur Taluk, Salem District.
- 4.The Superintendent of Police,
District Police Office,
Salem District.
- 5.The Inspector of Police,
Omalur Police Station,
Omalur, Salem District.

MOHAMMED SHAFFIQ, J.

mrr



WEB COPY



W.P.No.28611 of 20_

W.P.No.28611 of 2025

07.08.2025