



W.P.No.29391 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29391 of 2025

1.Dhuruvasan

2.Mageshwari

3.Jaya

4.Chinnasamy

...Petitioners

Versus

1.The Tahsildar,
Taluk Office,
Palacode Taluk,
Dharmapuri District.

2.The Taluk Head Surveyor,
Taluk Office,
Palacode Taluk,
Dharmapuri District.

3.The Inspector of Police,
Marandhahalli Police Station,
Palacode Taluk,
Dharmapuri District.

4.Krishnan

5.Palani



6.Gnanam

WEB CO-7.Velu

8.Murugammal

9.Uma

10.Arputham

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st and 2nd respondents to act upon the petitioners' Application dated 26.03.2025 vide Ref.No.2025/0105/05/337112; Challan No.20250326014784 and conduct the survey and issue separate Joint Patta in the name of the petitioner in respect of the lands admeasuring an extent of 0.04.0 Hectares comprised in Survey No.179/1E, 0.26.0 Hectares comprised in Survey No.179/1G and 0.01.0 Hectares comprised in Survey No.179/1B situated in Samanur Village, Palacode Taluk, Dharmapuri District and demarcate the boundaries by availing the assistance of the 3rd respondent in the event of any obstruction from the private respondents based on the petitioners' Representation dated 16.04.2025 within a time period to be stipulated by this Court.

For Petitioners	:	Mr.R.Bharath Kumar
For Respondents – 1 & 2:		Mr.P.Sathish, Additional Government Pleader
For Respondent – 3	:	Mr.R.Kishore Kumar, Government Advocate (Crl.Side)

ORDER



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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 4 to 10 is dispensed with.

2. The relief sought in this writ petition is to direct the respondents 1 & 2 to act on the 1st petitioner's Online Applications dated 26.03.2025 bearing No.2025/0105/05/337112 and conduct survey and issue separate Joint Patta in the name of petitioners in respect of the lands comprised in Survey No.179/1E measuring an extent of 0.04.0 Hectares, Survey No.179/1G measuring an extent of 0.26.0 Hectares and Survey No.179/1B measuring an extent of 0.01.0 Hectares situated at Samanur Village, Palacode Taluk, Dharmapuri District (hereinafter referred to as “subject properties”) and demarcate the boundaries by availing the assistance of 3rd respondent in the event of any obstruction from private respondents based on the petitioners' Representation dated 16.04.2025, within a time period to be stipulated by this Court.

3. The learned counsel for the petitioners submitted that 1st petitioner



has filed two separate Online Applications dated 26.03.2025 with the following requests:

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- (a) for surveying and demarcating the boundaries of subject property
- (b) for sub-division patta transfer in respect of the subject property.

That apart, the petitioners have submitted a Representation dated 16.04.2025 to the respondents 1 to 3, seeking survey and demarcation of subject property with police protection and to issue separate Patta in respect of the subject property in their favour. However, till date, the respondents 1 to 3 have not taken any action on the petitioners' Representation which necessitated the petitioners to file this writ petition.

4. At the outset, the learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the respondents 1 & 2 would consider the Online Applications dated 26.03.2025 submitted by 1st petitioner, within a time frame to be fixed by this Court.

4.1. It is further submitted by the learned Additional Government Pleader for the respondents 1 & 2 that in case, police protection is required for surveying the subject properties, the respondents 1 & 2 may be permitted



to request 3rd respondent.

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5. When the learned Additional Government Pleader for the respondents 1 & 2 made the above submission, Mr.R.Kishore Kumar, learned Government Advocate (Criminal Side) appearing for 3rd respondent submitted that if any request for police protection is made, adequate police protection would be granted.

6. The submissions made by the learned Additional Government Pleader for the respondents 1 & 2 as well as the learned Government Advocate (Criminal Side) for 3rd respondent have been fairly conceded by the learned counsel for the petitioners.

7. In view of the limited relief sought by the petitioners, this Court is inclined to dispose of this Writ Petition on the following terms:

(i) The respondents 1 & 2 shall consider the Online Applications dated 26.03.2025 submitted by 1st petitioner, in accordance with law, after issuing notice and affording a reasonable opportunity of hearing to the petitioners, respondents 4 to 10, adjacent land owners and all other



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interested parties including rival claimants, if any, within a period of sixteen weeks from the date of uploading of web copy of this order without waiting for the receipt of certified copy of this order.

(ii) Though facts have been set out extensively in the affidavit, I do not propose to deal with it while leaving it open to the respondents 1 & 2 to call for any document/conduct enquiry to satisfy themselves of the petitioners' entitlement for requesting survey of subject properties.

(iii) The concerned respondent shall independently consider the facts and law set out in the Application for issuance of separate Patta and pass appropriate orders, in accordance with law including but not limited to the provisions of the Tamil Nadu Patta Pass Book Act, 1983 and Tamil Nadu Patta Pass Book Rules, 1987.

(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.

(v) It is also open to the respondents 1 & 2 to request the 3rd



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

such request is made, the 3rd respondent shall provide adequate police

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

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The Tahsildar,
Taluk Office,
Palacode Taluk,
Dharmapuri District.
- 2.The Taluk Head Surveyor,
Taluk Office,
Palacode Taluk,
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- 3.The Inspector of Police,
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MOHAMMED SHAFFIQ, J.



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