



W.P.No.29995 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29995 of 2025

A.G.Mahendiran

...Petitioner

Versus

1.The Tahsildar,
O/o. Tahsildar Office,
Mettur Dam Taluk,
Salem District – 636 401.

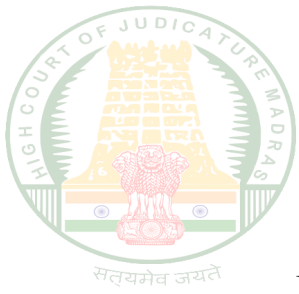
2.The Surveyor,
O/o. Tahsildar Office,
Mettur Dam Taluk,
Salem District – 636 401.

3.The Inspector of Police,
Kaumalaikoodal Police Station,
Mettur Taluk, Salem District – 636 402.

4.K.C.Radha

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st and 3rd respondents to forthwith conduct the survey with police protection and to fence the land situated in Survey No.688A/10, bearing Patta No.3212, at Konjandiyur Village, Konnur West, Salem District by considering the petitioner's Representation dated 16.06.2025, within a stipulated period as may be fixed by this Court.



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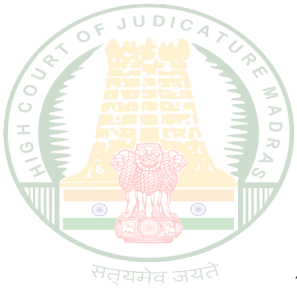
W.P.No.29995 of 2025

For Petitioner : Mr.S.P.Yuvaraj
For Respondents – 1 & 2: Mr.A.Selvendran,
Special Govt. Pleader
For Respondent – 3 : 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. In view of the order that this Court proposes to pass in this writ petition, notice to 4th respondent is dispensed with.

2. The relief sought in this writ petition is to direct the respondents 1 & 2 to survey and fence the land comprised in Survey No.688A/10, bearing Patta No.3212, situated at Konjandiyur Village, Konnur West, Salem District (hereinafter referred to as “subject property”) with police protection by considering the petitioner's Representation dated 16.06.2025, within a stipulated period as may be fixed by this Court.



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3. Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents 1 & 2 submitted that respondents 1 & 2 would consider the petitioner's Representation dated 16.06.2025, within a time frame to be fixed by this Court.

3.1. It is further submitted by the learned Special Government Pleader for the respondents 1 & 2 that in case, police protection is required for surveying the subject property, respondents 1 & 2 may be permitted to request 3rd respondent.

4. When the learned Special 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.

5. The submissions made by the learned Special Government Pleader for the respondents 1 & 2 as well as the learned Government Advocate



(Criminal Side) for the 3rd respondent have been fairly conceded by the learned counsel for the petitioner.

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

(i) The respondents 1 & 2 shall consider the petitioner's Representation dated 16.06.2025, in accordance with law, after issuing notice to the petitioner, 4th respondent, 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 1 & 2 to call for any document/conduct enquiry to satisfy itself of the petitioner's entitlement for requesting survey of subject property.

(iii) The respondents 1 & 2 shall complete the entire process within a period of twelve 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



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and contentions of the petitioner and all other interested parties are left open.

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(v) It is also open to the respondents 1 & 2 to request 3rd respondent, for providing police protection, if the same is required. If any such request is made, 3rd respondent shall provide adequate police protection for conducting survey in the subject property. No costs.

19.08.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The Tahsildar,
O/o. Tahsildar Office,
Mettur Dam Taluk,
Salem District – 636 401.
- 2.The Surveyor,
O/o. Tahsildar Office,
Mettur Dam Taluk,
Salem District – 636 401.
- 3.The Inspector of Police,
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MOHAMMED SHAFFIQ, J.

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