



W.P.No.31435 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.31435 of 2025

K.Viswanathan

...Petitioner

Versus

1.The District Collector,
Erode District, Erode.

2.The Tahsildar,
Tahsildar Office,
Nambiyur Taluk,
Erode District.

3.The Land Surveyor,
Tahsildar Office Campus,
Nambiyur Taluk,
Erode District.

4.The Inspector of Police,
Nambiyur Police Station,
Nambiyur, Erode 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 consider the petitioner's Representation dated 23.06.2025.

For Petitioner	:	M/s.S.Sengkodi
For Respondents – 1 to 3:		Mr.P.Sathish, Additional Government Pleader
For Respondent – 4	:	Mr.R.Kishore Kumar, Government Advocate (Crl.Side)



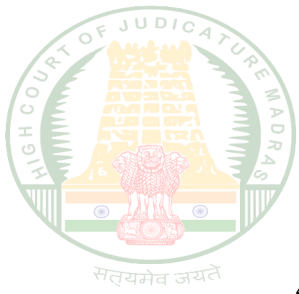
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ORDER

WEB COPY By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to direct the respondents to consider the petitioner's Representation dated 23.06.2025 seeking to survey the property comprised in S.No.38/1, Re-Survey No.38/1A Patta (438) measuring an extent of Punjai Hectare 0-42.55 Punjai Acre 1.05 Cents and S.No.38/1, measuring an extent of Punjai Hectare 2-4.00 Survey No.38/1A Punjai Hectare 1-41.85 (Patta No.438) situated at Nambiyur Village, Erode District (hereinafter referred to as “subject property”).

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the petitioner's Representation dated 23.06.2025 cannot be considered by the respondents since the same was made not only for conducting survey in the subject property, but, also for putting up fence in the subject property.



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4. The learned counsel for the petitioner submitted that the petitioner has now confined his request and prays this Court to conduct survey of the subject property.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that if the petitioner submits an Online Application for conducting survey of the subject property and also, pays necessary fees, 2nd respondent would consider the petitioner's Online Application in accordance with law, within a time frame to be fixed by this Court.

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

6. When the learned Additional Government Pleader for the respondents 1 to 3 made the above submission, Mr.R.Kishore Kumar,



learned Government Advocate (Criminal Side) appearing for 4th respondent submitted that if any request for police protection is made, adequate police protection would be granted.

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

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

(i) The petitioner is directed to submit an Online Application to survey the subject property and also, directed to pay the necessary fees, 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 Application by the petitioner, respondents 2 & 3 shall consider the same, in accordance with law, after issuing notice to the petitioner, adjacent land owners and all other interested



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parties, if any, within a period of eight weeks from the date of submission of petitioner's Online Application.

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(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 2 & 3 to call for any document/conduct enquiry to satisfy itself of the petitioner's 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 respondents 2 & 3 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 2 & 3 to request the 4th respondent, for providing police protection, if the same is required. If any such request is made, 4th respondent shall provide adequate police protection for conducting survey in the subject property. No costs.

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Index : Yes/No



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MOHAMMED SHAFFIQ, J.

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