



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.08.2025

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Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.32899 of 2025

Mahendhiran

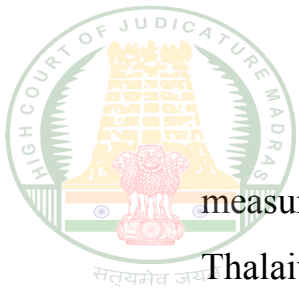
...Petitioner

Versus

- 1.The District Collector,
Salem District,
Salem.
- 2.The Tahsildar,
Thalaivasal Taluk,
Salem District.
- 3.The Head Surveyor,
Thalaivasal Taluk,
Salem District.
- 4.The Inspector of Police,
Thalaivasal Police Station,
Salem District.
- 5.Chinrasu

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd and 3rd respondents to survey and measure petitioner's field boundaries by fixing a boundary stones for a properties comprised in S.Nos.325/2 and 326/1 ad



measuring to an extent of 1 Acre 02 Cents situated at Navakurichi Village, Thalaivasal Taluk, Salem District with 4th respondent's Police aid for survey and fencing subsequently transfer a Patta vide No.1179 on the file of 2nd respondent pursuant to petitioner's Online Application for Sub Division Patta Transfer vide No.2025/0105/08/617128 dated 30.06.2025.

For Petitioner : Mr.N.Ranjith Kumar
For Respondents – 1 to 3: Mr.P.Sathish,
Additional Government Pleader
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. In view of the order that this Court proposes to pass in this writ petition, notice to 5th respondent is dispensed with.

2. The relief sought in this writ petition is to direct the respondents 2 & 3 to survey and measure the field boundaries of the petitioner's properties comprised in S.Nos.325/2 & 326/1 measuring an extent of 1 Acre 2 Cents situated at Navakurichi Village, Thalaivasal Taluk, Salem District by fixing a boundary stones in his properties with the help of 4th respondent's Police and subsequently, to transfer Patta No.1179 on the file of 2nd respondent by



considering the petitioner's Online Application No.2025/0105/08/617128

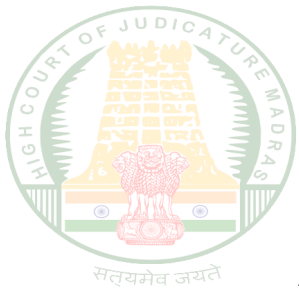
dated 30.06.2025 for Sub Division Patta Transfer.

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3. Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the 2nd respondent would consider the Online Application dated 30.06.2025 for Sub Division Patta Transfer and Online Application dated 05.07.2025 for survey of subject property submitted by the petitioner, within a time frame to be fixed by this Court.

3.1. 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.

4. 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 the 4th respondent submitted that if any request for police protection is made, adequate police protection would be granted.



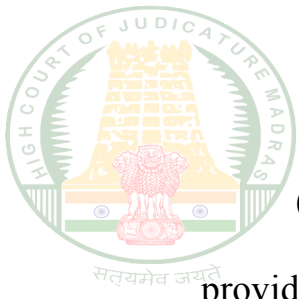
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5. The submissions made by the learned Additional Government Pleader for respondents 1 to 3 as well as the learned Government Advocate (Criminal Side) for the 4th respondent have been fairly conceded by the learned counsel for petitioner.

6. 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 2nd respondent shall consider the petitioner's Online Applications dated 30.06.2025 and 05.07.2025 for survey of subject property, in accordance with law, after issuing notice and affording a reasonable opportunity of hearing to the petitioner, 5th respondent, adjacent land owners and all other interested parties including rival claimants, if any, within a period of sixteen 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) Though facts have been set out extensively in the affidavit, I do not propose to deal with it while leaving it open to 2nd respondent to call for any document/conduct enquiry to satisfy itself of the petitioner's entitlement for requesting survey of subject property.



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(iii) It is open to the respondents 1 to 3 to request 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.

(iv) The 2nd respondent shall independently consider the facts and law set out in the petitioner's Online Application dated 30.06.2025 for Sub Division Patta Transfer 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.

(v) 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 2nd 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.
No costs.

29.08.2025

mrr

Index : Yes/No

Speaking Order (or) Non-Speaking Order



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To

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MOHAMMED SHAFFIQ, J.

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