



WEB COPY

WP No. 33802 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 33802 of 2025

Hasan Abdul Khader,
S/o.Fakeer Mohideen,
The Proprietor Of Uwais Industries,
Door No.19, Narayanapa Nayakan Street,
Chennai-01.

Petitioner(s)

Vs

1.The Tasildhar,
No.5, Omalur Main Road, Omalur,
Taluk Office, Omalur Taluk,
Salem District-636 455.

2.The Inspector Of Police,
Sardha Nagar, Kamaraj Nagar,
Omalur, Omalur Police Station,
Salem District-636 455.

Respondent(s)

PRAYER:-Writ Petition filed under Section 226 of the Constitution of India,
praying for an issuance of Writ of Mandamus, to direct the 1st respondent to



survey the property comprised in survey number 242/3B2 situated at Pagalpatti Village, Omalur Taluk, Salem District with the assistance of the 2nd respondent Police.

For Petitioner(s): Mr.Mahesh Kumar.S

For Respondent(s): Mr.P.Ganesan,
Government Advocate For R1
Mr.L.Baskaran,
Government Advocate For R2

ORDER

This writ petition has been filed by the petitioner seeking to direct the 1st respondent to survey the property comprised in survey number 242/3B2 situated at Pagalpatti Village, Omalur Taluk, Salem District with the assistance of the 2nd respondent Police.

2.Mr.P.Ganesan, learned Government Advocate, takes notice on behalf of the 1st respondent and Mr.L.Baskaran, learned Government Advocate (Crl.Side), takes notice on behalf of the 2nd respondent. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.



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3.Learned counsel for the petitioner would submit that the petitioner made a representation dated 18.06.2025 through online before the 1st respondent to survey the petitioner's property. When the 1st respondent attempted to survey the property one Boodhagounder and his children made obstruction for surveying the petitioner's property and therefore, the 1st respondent refused to measure the subject property. He would further submit that, in the present case, the petitioner own 1 acre 91 cents of land comprised in survey number 242/3B2 situated at Pagalpatti Village, Omalur Taluk, Salem District and patta has also been issued in the name of the petitioner. While so, it is duty of the 1st respondent to survey and fix the boundary stones. However, by citing the reason of obstruction raised by one Boodhagounder, the 1st respondent refused to survey the land and returned back. Hence, the present writ petition has been filed.

4.Learned Government Advocate appearing for the 1st respondent would submit that since there was an obstruction from one Boodhagounder, the 1st



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respondent is not in a position to measure the property and if there is any direction from the Court to survey the petitioner's property, the same will be complied with the help of the 2nd respondent/Police.

5.Learned Government Advocate appearing for the 2nd respondent would submit that in the event any request is made, the 2nd respondent will provide the Police Protection to the Officials of the 1st respondent.

6.Heard the learned counsel for the petitioner; the learned Government Advocate appearing for the 1st respondent and the learned Government Advocate appearing for the 2nd respondent.

7.Considering the above submissions, it is evident that based on the online application dated 18.06.2025, the 1st respondent has taken action to survey the petitioner's property and since there was an obstruction from the neighbour of the petitioner one Boodhagounder, the 1st respondent could not measure the petitioner's property. Under such circumstances, the 1st respondent



supposed to have taken the assistance of the 2nd respondent/Police and complete the survey. However, they have not taken any such steps so far.

8. Thus, the 1st respondent is directed to survey the petitioner's property and fix the boundary stones with the help of the 2nd respondent/Police. The 2nd respondent is directed to provide Police Protection to the Officials of the 1st respondent, while surveying the petitioner's property and fixing the boundary stones. The entire exercise shall be done by the 1st respondent within a period of two weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

10-09-2025

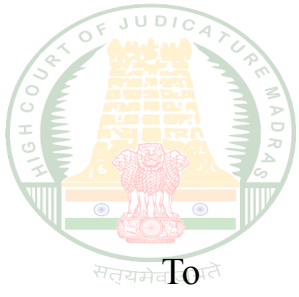
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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KRISHNAN RAMASAMY J.

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