



W.P.No.33815 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

WP.No.33815 of 2025

P.Venkatachalam

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Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Namakkal District.

2. Assistant Director,
Office of the Assistant Director of Survey and Land Records,
Namakkal District.

3. The Tahsildar,
Rasipuram Taluk,
Namakkal District.

4. Inspector of Police,
Belukkuirchi Police Station,
Namakkal District.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to take suitable action to survey and fix boundaries for the petitioner's property in the land measuring an extent of 0.14.85 hectares of land comprised in



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S.No.249/3D1 situated at Singalanthapuram Village, Rasipuram Taluk, Namakkal District and to restore the iron fence to demarcate the petitioner's private patta land with the help of the qualified surveyor and adequate police protection at the time of measuring the land by considering the petitioner's representation dated 04.08.2025 within the time stipulated by this Court.

For Petitioners : Dr.R.Gouri

For R1 to R3 : Mr.P.Ganesan
Government Advocate

For R4 : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to survey and fix the boundaries of the petitioner's property comprised in Survey No.249/3D1, measuring an extent of 0.14.85 hectares, situated at Singalanthapuram Village, Rasipuram Taluk, Namakkal District.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner derived title in respect of the subject property



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through a registered settlement deed dated 07.08.2023 executed by his wife.

The petitioner's wife, in turn, derived title over the said property by a registered settlement deed dated 11.02.2010. While being so, the third respondent, in order to remove the encroachments in respect of the lands comprised in Survey Nos. 250 and 249, conducted a survey on 08.05.2025, which also included the petitioner's land. During the said survey, the iron fencing was removed, as if it had encroached upon the land comprised in Survey No.249/3D1. Hence, the petitioner submitted an application seeking survey his property as per the boundaries specified in the settlement deed.

4. The learned Government Advocate appearing for the respondents 1 to 3 submitted that there was encroachments by the petitioner as well as by one Megasthanish, S/o.Subramaniam, in respect of the lands comprised in Survey Nos.249 and 250 situated at Singalanthapuram Village, Rasipuram Taluk, Namakkal District, thereby obstructing the usage of the cart track by the general public. Therefore, on 08.05.2025, the third respondent conducted a survey of the properties in both survey numbers. While conducting the said survey, the petitioner himself removed the iron



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fencing in Survey No.249. It is further submitted that the petitioner has now submitted an application to survey his property comprised in Survey No.249/3D1 situated at Singalanthapuram Village, Rasipuram Taluk, Namakkal District, along with the requisite fees. Therefore, the third respondent is duty-bound to survey the said land as requested by the petitioner on receipt of the requisite fees.

5. In view of the above, the third respondent is directed to engage the surveyor to survey the petitioner's land as per the boundaries specified in the settlement deed and to serve a copy of the survey report to the petitioner within a period of four weeks from the date of receipt of a copy of this order. If the surveyor finds any obstructions while surveying the petitioner's land, the surveyor can very well approach the concerned jurisdictional police for necessary assistance. On receipt of such a request, the concerned jurisdictional police shall provide adequate police protection to enable the surveyor to carry out the survey and demarcation of the land.

6. With the above direction, this Writ Petition is disposed of.



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There shall be no order as to costs.

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Neutral citation : Yes/No

Index: Yes/No

Speaking/Non speaking

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G.K.ILANTHIRAIYAN, J.



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