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W.P.No.36328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2025

CORAM:

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

W.P.No.36328 of 2025

Siva Kumar

... Petitioner

Vs.

1.TAHSILDHAR,
SATHYAMANGALAM TALUK,
SATHYAMANGALAM 638 402, ERODE DISTRICT

2.ZONAL DEPUTY TAHSILDAR,
SATHYAMANGALAM TALUK, SATHYAMANGALAM 638 402
ERODE DISTRICT

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to survey the lands in Survey No. 38/3 with an extent of 0.33.00 Hec. Survey No. 38/2B with an extent of 0.67.86 Hec., and Survey No. 38/2A with an extent of 0.3.14 Hec situated at Chikkarasampalyam village, Sathyamangalam Taluk, Erode district by taking action on notice in MM 12070600- 26.06.2025 issued by the 1st respondent and issue patta in the name of the petitioner by considering his representation dated 26.06.2025

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and 26.08.2025

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For Petitioner : Mr.J.Titus Enock

For Respondents : Mr.P.Ganesan,
Government Advocate

ORDER

This writ petition has been filed for direction to the respondents to survey the lands comprised in Survey No. 38/3 with an extent of 0.33.00 Hec., Survey No. 38/2B with an extent of 0.67.86 Hec., and Survey No. 38/2A with an extent of 0.3.14 Hec situated at Chikkarasampalyam village, Sathyamangalam Taluk, Erode district.

2. On perusal of records, it is revealed that the petitioner owns the lands comprised in Survey No. 38/3 with an extent of 0.33.00 Hec., Survey No. 38/2B with an extent of 0.67.86 Hec., and Survey No. 38/2A with an extent of 0.3.14 Hec situated at Chikkarasampalyam village, Sathyamangalam Taluk, Erode district. He applied to survey the said lands by paying necessary fees.

3. On instruction, the learned Government Advocate appearing for the respondents submitted that the petitioner ought to have applied for



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surveying his lands through e-seva. Moreover, if there is any dispute in respect of the boundaries of the said property with the adjacent land owners, it cannot be surveyed as per the dictum laid down by the Hon'ble Division Bench of this Court.

4. On perusal of the representation submitted by the petitioner dated 26.06.2025, it is revealed that though the petitioner applied through e-seva, he could not get through the application since there was error. Therefore, the petitioner physically submitted representation along with requisite fees. Therefore, the respondents are duty bound to survey the lands though there is a dispute with the neighbouring land owners. It is also made clear that the respondents ought to have surveyed the lands as per the original title deeds in respect of the subject property.

5. In view of the above, the respondents are directed to survey the lands comprised in Survey No. 38/3 with an extent of 0.33.00 Hec., Survey No. 38/2B with an extent of 0.67.86 Hec., and Survey No. 38/2A with an extent of 0.3.14 Hec situated at Chikkarasampalyam village, Sathyamangalam Taluk, Erode district as requested by the petitioner and to serve the survey report to the petitioner within a period of four weeks



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from the date of receipt of copy of this order. It is made clear that if there

is any obstruction from third parties, the surveyor can very well approach the jurisdictional police for police aid. On such request, the jurisdictional police shall provide adequate police protection to the surveyor to survey the aforementioned lands as requested by the land owner.

6. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

06.10.2025

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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To

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