



W.P.No.38821 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 38821 of 2024

M.Natarajan

...Petitioner

Vs.

1.The Tahsildar
Taluk Office,
Pethanaickenpalayam Taluk,
Salem District 636 109

2.The Surveyor
Ethappur Firka,
Taluk Office, Pethanaickenpalayam Taluk,
Salem District 636 109

3.The Inspector of Police
Ethappur Police Station,
Pethanaickenpalayam Taluk ,
Salem District 636 1096

4.A.Tamilselvan

5.A.Jayaraman

6.T. Kowhsik

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd respondents to demarcate the petitioner's property, bearing in Survey no 276/4, measuring 2.28 acres vide joint patta No 1873, situated at, Edaiyapatti Village and Post, Pethanaickenpalayam Taluk, Salem District 636 114, within the Sub Registrar Office at Pethanaickenpalayam, the Registration District of Salem East, on the basis of the petitioner's land demarcation application, dated 28.03.2022.

For Petitioner	:	Mr. J.Agni Selvaraju
For Respondents	:	Mr. M.R.Gokul Krishnan
1 & 2		Additional Government Pleader.
For Respondent 3:		Mr. R.Vinoth Raja
		Government Advocate
		(Crl. Side)

ORDER

The Writ Petition is filed for the following relief:

“To direct the 1st and 2nd respondents to demarcate the petitioner's property, bearing in Survey no 276/4, measuring 2.28 acres vide joint patta No 1873,



*situated at, Edaiyapatti Village and Post,
Pethanaickenpalayam Taluk, Salem District 636 114,
within the Sub Registrar Office at Pethanaickenpalayam,
the Registration District of Salem East, on the basis of the
petitioner's land demarcation application, dated
28.03.2022”.*

2. It is the case of the petitioner that he is the absolute owner of the subject property. It is his case that he had approached the 1st and 2nd respondents for conducting survey in the subject property. When the 1st and 2nd respondents visited the property for conducting a survey, the 4th to 6th respondents strongly objected for conducting survey. Aggrieved thus, the petitioner is before this Court.

3. Heard the learned counsels on the either side and perused the records.



4. The 1st and 2nd respondents cannot abandon the survey on the basis of the objection submitted. If an objection is submitted, they are bound to pass orders on the objections, so as to enable the petitioner to get further orders from this Court.

5. Therefore, the Writ Petition is disposed of with a direction to the 1st and 2nd respondents to conduct survey, within a period of 6 weeks and if an objection is submitted by any persons, the same shall be considered and pass orders. If the objection is not supported by any evidence, the 1st and 2nd respondents shall proceed with survey. If necessary, the 1st and 2nd respondents shall obtain necessary Police protection. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

03.01.2025

Index : Yes/No
Internet : Yes/No
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To

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Pethanaickenpalayam Taluk,
Salem District 636 109
- 2.The Surveyor
Ethappur Firka,
Taluk Office, Pethanaickenpalayam Taluk,
Salem District 636 109
- 3.The Inspector of Police
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P.T. ASHA, J.



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