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WP.No.1354 of 2025

In the High Court of Judicature at Madras

Dated : 23.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1354 of 2025

R.Devaraj

Vs

...Petitioner

1.The District Collector, Hosur
Taluk, Krishnagiri District.

2.The Revenue Divisional Officer,
Hosur Taluk, Krishnagiri District.

3.The Tahsildar, Hosur Taluk,
Krishnagiri District.

4.The District Superintendent
of Police, Hosur, Krishnagiri
District.

5.The Inspector of Police,
HUDCO Police Station,
Krishnagiri District.

6.Mr.Lokesh

7.Chinnasami

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd Respondent herein to survey the petitioner's property situated at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District comprised in Sy Nos.545/3A and 545/3B measuring total extent of 96 cents of land



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सत्यमेव जयते with the assistance of police.

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For Petitioner : Mr.R.Ramesh
For R1 to R3 : Mr.G.Velu, AGP
For R4 & R5 : Mr.R.Vinoth Raja, GA (Crl.Side)

ORDER

Seeking a direction to the third respondent to conduct a survey in respect of his properties totally measuring 96 cents in S.Nos.545/3A and 545/3B, Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District with the assistance of police, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader accepting notice for respondents 1 to 3 and the learned Government Advocate (Crl.Side) accepting notice for respondents 4 and 5.

3. The petitioner would contend that he purchased the subject properties measuring 48 cents each by two separate sale deeds (i) dated 17.2.2014 registered as doc.No.1013 of 2014; and (ii) dated 30.12.2021 registered as doc.No.12731 of 2021, both on the file of the Sub-Registrar, Kelamangalam, Krishnagiri District for a valid sale consideration. Ever since the dates of purchase, the petitioner is in



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exclusive possession and enjoyment of the same. After purchase, the subject properties were subdivided into S.Nos.545/3A and 545/3B. Patta was also granted in favour of the petitioner. As respondents 6 and 7 started giving trouble with regard to the boundaries of the subject properties, the petitioner made a request to the third respondent seeking to conduct a survey during May 2024. However, it ended in vain.

4. Once again, the petitioner approached the third respondent by making an online application dated 02.12.2024 seeking to conduct a survey in respect of the subject properties by paying necessary charges. The petitioner also sent a representation dated 11.12.2024 to respondents 1 and 4 and also to the Chief Minister's Cell seeking to conduct a survey and to provide police protection while conducting the survey. As nothing was forthcoming, the petitioner has come forward with this writ petition.

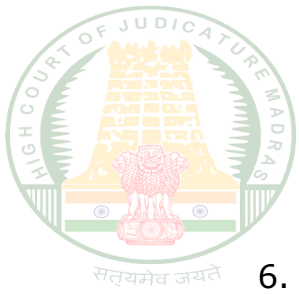
5. As seen from the copy of the documents enclosed along with the affidavit filed in support of the writ petition, the subject properties belong to the petitioner. Hence, the petitioner requested the third respondent to conduct a survey by making the online application after paying necessary charges.



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6. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the third respondent to conduct a survey in respect of the subject properties. The petitioner shall submit all the relevant records to show his title to the subject properties and the third respondent shall, after issuing notice to respondents 6 and 7 and other interested parties, hold an enquiry and thereafter pass orders either surveying the subject properties or rejecting the request. If there is any disturbance while conducting the survey, the third respondent may approach the fourth respondent for necessary police protection. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. It is made clear that in the case of rejection, a speaking order shall be passed by the third respondent. No costs.

23.1.2025

To

- 1.The District Collector, Hosur
Taluk, Krishnagiri District.
- 2.The Revenue Divisional Officer,
Hosur Taluk, Krishnagiri District.
- 3.The Tahsildar, Hosur Taluk,
Krishnagiri District.
- 4.The District Superintendent
of Police, Hosur, Krishnagiri
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5. The Inspector of Police,
HUDCO Police Station,
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