



WEB COPY



W.P.No.39631 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.39631 of 2024

S.Shiva

...Petitioner

Vs

1.The District Collector,
Dharmapuri.

2.The Tahsildar
Pappipreddipatti,
Dharmapuri District.

3.The Survey Inspector,
Pappipreddipatti,
Dharmapuri District.

4.Krishnan

5.Ravi

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents 2 and 3 herein to forthwith survey the lands of the petitioner in Survey No.149/2A1, 157/2B1, 158/2B1, 158/2B3 and 158/2A, Thenkaraikottai Village, Pappireddipatti Taluk, Dharmapuri District.

For Petitioner : Mr.A.Saravanan



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W.P.No.39631 of 2024

For Respondents : Mr.A.Selvendran (for R1 to R3)
Special Government Pleader

ORDER

The present Writ Petition has been filed seeking direction to respondents to survey the petition mentioned property.

2.The petitioner's contention is that he is the absolute owner of lands measuring a total extent of 0.72 cents in Survey Nos.149/2, 158/2 and 157/2 respectively and the same was purchased through a registered sale deed dated 22.01.2016 vide Document No.284/2016. Since then, the petitioner is in possession and enjoyment of the said property and patta had also been transferred in his name. The fourth and fifth respondents who are the adjacent land owners had entered into the aforesaid property and prevented the surveyor to conduct the survey, scolded and threatened the petitioner . Thereafter, the second respondent had served a memo to the petitioner on 19.11.2024 stating that the survey of said lands could not be carried out since the respondents 4 and 5 had objected to survey his lands, since a suit in O.S.No.194 of 2022 is pending in respect of the very same land. Thereafter, the petitioner filed W.P.No.12195 of 2024 for police protection and the same was allowed on 30.04.2024. However, the



W.P.No.39631 of 2024

survey has not been conducted to date. Therefore, the petitioner is before this Court.

3. Heard the learned counsels on the either side and perused the records. The learned Special Government Pleader takes notice on behalf of respondents 1 to 3.

4. Considering the facts and circumstances of the case, mandamus is issued to the respondents to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall after issuing notice to the adjacent land owners and interested parties particularly respondents 4 and 5 hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.



W.P.No.39631 of 2024

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costs.

02.01.2025

Index : Yes/No

Internet : Yes/No

Speaking Order/Non Speaking Order
ep

P.T.ASHA, J.



W.P.No.39631 of 2024

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- To
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Dharmapuri.
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Pappipreddipatti,
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 - 3.The Survey Inspector,
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W.P.No.39631 of 2024

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