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W.P.No.40518 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.40518 of 2025

K.Prakash

.... Petitioner

Vs

1.The District Collector

Namakkal – 637 003

Namakkal District.

2.The Thasildar

Taluk Office

Kumarapalayam – 637 209

Namakkal District.

3.The Head Surveyor

Survey Department

Kumarapalayam – 637 209

Namakkal District.

4.The Inspector of Police

Veppadai Police Station

Veppadai – 638 008

Namakkal District.

5.Vijayalakshmi

... Respondents



W.P.No.40518 of 2025

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the second and third respondents to conduct survey and fix boundary stones in Survey No.83/1 at Kaliyanur Agraharam Village, Kumarapalayam Taluk, Namakkal District, within a time frame as stipulated by this Court.

For Petitioner : Mr.P.Kannankumar

For Respondents : Mr.P.Ganesan

Government Advocate for

R1 to R3

Mr.L.Baskaran

Government Advocate (Crl.

Side) for R4

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the second and third respondents to deal with the application submitted by the petitioner, wherein the petitioner is seeking for survey of the subject property and to fix the boundaries.

2. Heard Mr.P.Kannankumar, learned counsel appearing for the petitioner and Mr.P.Ganesan, learned Government Advocate appearing for the respondents 1 to 3 and Mr.L.Baskaran, learned Government Advocate (Crl. Side) appearing for the fourth respondent.



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3. The case of the petitioner is that the petitioner is the owner of the subject property and the patta also stands in his name. The petitioner submitted an application for survey of the subject property by paying necessary charges. Some objections were made by the fifth respondent and in view of the same, the authorities did not survey the property. It is under these circumstances, the present writ petition has been filed.

4. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the second and third respondents to deal with the application submitted by the petitioner in line with title document and patta that stands in the name of the petitioner, and conduct survey and fix the boundaries. Since the fifth respondent is objecting to survey the property, the survey shall be conducted in the presence of the fifth respondent. This process shall be completed within a period of four weeks from the date of receipt of a copy of this order. If the second and third respondents deem it fit to seek for police protection, the same shall be provided by the fourth respondent.



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5. This writ petition is disposed of with the above directions. No costs.

29.10.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

To:

- 1.The District Collector
Namakkal – 637 003
Namakkal District.
- 2.The Thasildar
Taluk Office
Kumarapalayam – 637 209
Namakkal District.
- 3.The Head Surveyor
Survey Department
Kumarapalayam – 637 209
Namakkal District.
- 4.The Inspector of Police
Veppadai Police Station
Veppadai – 638 008
Namakkal District.



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ds

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W.P.No.40518 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P.No.40518 of 2025

K.Prakash,
S/o.Kulandaivelu

... Petitioner

Vs.

1. The District Collector,
Namakkal – 637 003.
Namakkal District.
2. The Thasildar,
Taluk Office,
Kumarapalayam – 637 209,
Namakkal District.
3. The Head Surveyor,
Survey Department,
Kumarapalayam – 637 209,
Namakkal District.
4. The Inspector of Police,
Veppadi Police Station,
Veppadi – 638 008,
Namakkal District.

5. Mrs. Vijayalakshmi

... Respondents



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For Petitioner : Mr.N.Palanikumar
For Respondent : Mr.P.Ganesan
Government Advocate [R1 to R3]
Mr.L.Baskaran
Government Advocate (Crl.Side) [R4]
Mr.K.Selvaraj [R5]

ORDER

The matter was listed under the caption "For being mentioned" based on the mentioning made by the learned counsel appearing on behalf of the 5th respondent.

2. The apprehension of the 5th respondent is that taking advantage of the order passed in the writ petition, the petitioner may take steps to fence the property and the same will create serious hardship to the 5th respondent.

3. In the considered view of this Court, this Court had directed the concerned authority to conduct the survey and it will not entitle the petitioner to take advantage of the order and put up the compound wall and fence the property.



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4. The order did not purport to create any such right in favour of the petitioner.

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5. The above clarification will sufficiently take care of the grievance expressed by the 5th respondent. Ultimately, if there is any dispute between the petitioner and the 5th respondent, it has to be resolved before the competent forum in the manner known to law.

09.12.2025

mp

To

1. The District Collector,
Namakkal – 637 003.
Namakkal District.
2. The Thasildar,
Taluk Office,
Kumarapalayam – 637 209,
Namakkal District.
3. The Head Surveyor,
Survey Department,
Kumarapalayam – 637 209,
Namakkal District.
4. The Inspector of Police,
Veppadi Police Station,
Veppadi – 638 008, Namakkal District.

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