



W.P.(MD) No.3594 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3594 of 2025

P.Arunachalapandian

... Petitioner

VS.

1.The Tahsildar,
Tenkasi, Tenkasi District.

2.The Inspector of Police,
Aalvarkurichi Police Station,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to survey the land in S.No.137/18 situated at Govindaperi Village, Tenkasi Taluk, Tenkasi District and consequently directing the second respondent to give police protection on the day of surveying the land of the petitioner, consider the representation dated 13.01.2025 within the time stipulated by this Court.

For Petitioner : Mr.R.Mareeskumar

For Respondents : Mr.S.Kameswaran,
Government Advocate for R1

Mr.K.Gnanasekaran,
Government Advocate (Crl. side) for R2



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ORDER

The writ petitioner seeks the limited relief of issuance of a Writ of Mandamus to direct the first respondent to survey his lands. The petitioner has made an application on 21.06.2024 and since no survey was conducted, he has made a representation on 13.01.2025.

2.Considering the limited scope of the prayer, the writ petition itself is taken up for final disposal.

3.The petitioner has fairly submitted that the patta is in joint names, namely, Ponnaiya Nadar, Murugaiya Pandiyan, Kottursamy @ Durairaj along with the petitioner and in the absence of any consent by the other joint patta holders, the authorities may not be in a position to conduct a proper survey. If this Court directs a survey to be conducted, then the assistance of the second respondent police officials may be taken by the surveyor at the time of conducting the survey. The petitioner has made an application for surveying his lands in S.No.137/18 and he has also paid the requisite fee on 21.06.2024. Since the first respondent also fixed a date for survey of the petitioner's land, but the survey could not be conducted because of the objections by the neighboring land owners.



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It is also submitted by the petitioner that the petitioner and the revenue officials also requested the second respondent, the Inspector of Police, Aalvarkurichi Police Station, to give necessary protection to carry out the survey. But, however, police protection was not granted by the second respondent. The petitioner has also made another representation on 13.01.2025 seeking for survey in the presence of the police officials.

4.Considering the limited scope of the prayer, the Writ Petition is disposed of, directing the first respondent to survey the petitioner's land based on the application dated 21.06.2024 after giving an advance notice to the other joint patta holders, namely, Ponnaiya Nadar, Murugaiya Pandiyan, Kottursamy @ Durairaj and such survey shall be conducted in the presence of the police officials to avoid any breach of peace or law and order situation. The said exercise shall be conducted within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

10.02.2025

sjl

NCC: Yes/No

Index : Yes / No

Internet : Yes / No



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P.B.BALAJI, J.

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To

- 1.The Tahsildar,
Tenkasi, Tenkasi District.
- 2.The Inspector of Police,
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