



W.P.(MD)No.4295 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4295 of 2025

P.Kuppusamy

.... Petitioner

/Vs./

1.The Collector,
Dindigul district,
Dindigul.

2.Assistant Director of Survey,
Survey and Land Records Department,
District Collector Office,
Dindigul District.

3.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

4.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul.

5.S.Balan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus, directing the third respondent to conduct



W.P.(MD)No.4295 of 2025

WEB COPY

property survey of petitioner's land and earmark the four boundaries in survey No.600/4, 600/5, 609/4 at Poondi Village, Kodaikanal Taluk, Dindigul District in terms of Section 7 of the Tamil Nadu Survey and Boundaries Act, 1923 based on petitioner's online application dated 24.11.2024 within stipulated time as prescribed by this court.

For Petitioner : Mrs.S.Bhuvaneswari
For R1 to R3 : Mr.M.Lingadurai
Special Government Pleader
For R4 : Mr.S.Prakash
Government Advocate (Crl.side)

ORDER

Considering the limited scope of the prayer sought for in the writ petition, with the consent of the parties, the writ petition itself is taken up for final disposal at the admission stage.

2. I have heard the learned counsel appearing on either side.

3. The petitioner has made an application for conducting survey vide application, dated 24.11.2024. Despite the second respondent instructing the third respondent to conduct an enquiry, the grievance of



W.P.(MD)No.4295 of 2025

WEB COPY

the petitioner is that no steps have been taken by the third respondent.

The representation was also given to the fourth respondent police authorities, considering the said problems that may be caused by the fifth respondent. The relief sought for is only to dispose of the petitioner's application, dated 24.11.2024. It is also brought to my notice that the 5th respondent's mother filed a Civil Suit in O.S.No.16 of 2020 before the District Munsif-cum-Judicial Magistrate No.I, Kodaikanal. The said suit was also dismissed for non-prosecution. Therefore, there is no impediment for the respondents 2 and 3 to conduct the survey based on the petitioner's online application dated 24.11.2024.

5. In view of the above, the writ petition is allowed and the respondents 2 and 3 shall conduct the survey pursuant to the petitioner's application, dated 24.11.2024 within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that since the patta is held jointly, the petitioner shall get no objection certificate from the other pattadhar, his brother and in the event of the respondents 2 and 3 requiring any police protection at the time of survey apprehending any breach of peace on account of any objections by the fifth respondent, the



W.P.(MD)No.4295 of 2025

WEB COPY

respondents 2 & 3 shall be at liberty to approach the fourth respondent for adequate police protection who in turn shall provide the necessary police force to conduct the survey peacefully. No costs.

Index : Yes / No
NCC : Yes / No
am

19.02.2025

To

- 1.The Collector,
Dindigul district,
Dindigul.
- 2.Assistant Director of Survey,
Survey and Land Records Department,
District Collector Office,
Dindigul District.
- 3.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.
- 4.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal,
Dindigul.



WEB COPY



W.P.(MD)No.4295 of 2025

P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.4295 of 2025

Dated:
19.02.2025