



W.P.(MD)No.5605 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.5605 of 2025

K.Nanthagopal

.... Petitioner

/Vs./

1.The Tahsildar,
Uthamapalayam,
Theni District.

2.The Inspector of Police,
Chinnamanur Police Station,
Theni.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to survey the petitioner's land in Survey No.136/2 situated at Erasanayakkanur, Uthamapalayam, Theni District respectively and fix its boundaries as per the revenue records with the aid of the second respondent by considering his representation dated 04.02.2025 within the time limit that may be stipulated by this Court.

For Petitioner	: Mr.M.Jerin Mathew
For R1	: Mr.M.Lingadurai Special Government Pleader
For R2	: Mr.S.Prakash Government Advocate (Crl.side)



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ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the first respondent to survey the petitioner's land in Survey No. 136/2 situated at Erasanayakkanur, Uthamapalayam, Theni District.

2. With the consent on either side, the writ petition is taken up for final disposal at the admission stage.

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

4. The petitioner and his mother and his siblings are the joint owners of the subject lands. They have also been issued with joint patta in No.1175, on 24.02.2023 by the Tashildar, Uthamapalayam. Based on the said patta, the petitioner has also been remitting the kist to the Government and evidencing the same, an Adangal extract is also enclosed along with typed set of papers, which stands in the name of the petitioner.



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5. The learned Government Advocate Mr.S.Prakash would submit that as against the neighbouring land owner a case in Cr.No.314 of 2024 is pending.

6. The learned counsel for the petitioner would submit that the co-pattadhars have no objections for survey being conducted since they have already authorised the petitioner to carry out the agricultural operations and only in pursuance thereof, the petitioner has been paying the kist to the Government.

7. Considering the above, there shall be a direction to the first respondent to conduct a survey based on the petitioner's application dated 04.02.2025 with the assistance of the second respondent officials, who shall be intimated in advance about the proposed survey by the first respondent to enable them to provide adequate police protection to prevent any breach of peace at the time of conducting survey. The first respondent shall also issue notice to the petitioner and the neighbouring land owners and survey shall be conducted in their presence. The petitioner undertakes to produce No Objection Certificate from his



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mother and his siblings for the survey being conducted based on the said application. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of.

No costs.

Index : Yes / No
NCC : Yes / No
am

03.03.2025

To

- 1.The Tahsildar,
Uthamapalayam,
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Chinnamanur Police Station,
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P.B. BALAJI, J.

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Order made in
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