



WEB COPY



W.A.No.2054 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.2054 of 2026

1.Govindaraj
S/o.Vellaiyan,
46, Nagaramalai Adivaram,
Salem District-636 016.

2.Saravanan
S/o.Govindaraj,
46, Nagaramalai Adivaram,
Salem District-636 016.

3.Selvam
S/o.Vellaiyan,
46, Nagaramalai Adivaram,
Salem District-636016.

Appellants

Vs

1.D.Ganesan
S/o.Dhanasekaran,
101/17 Block A,
305, Golden Valley Apartment,
Nagaramalai Adivaram,
Salem-636 016



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2.The Thasildar
Office of Thasildar,
Salem West Salem.

3.The Surveyor
Old Suramangalam,
Salem-5.

4.The Inspector of Police
Alagapuram Police Station,
Salem-16.

Respondents

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Single Judge in W.P.No.4120 of 2026, dated 06.02.2026.

For Appellants: Mr.P.Vijendran

For Respondents: Mr.R.Nalliyappan
for R1

Mr.K.Kumaran
Government Pleader
for R2 and R3

Mr.M.Dinesh
Government Advocate
(Criminal Side) for R4



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JUDGMENT
(Delivered by the Hon'ble Chief Justice)

This writ appeal filed under Clause 15 of the Letters Patent assails the order of the learned Single Judge dated 6.2.2026 passed in W.P.No.4120 of 2026, whereby the writ petition has been disposed of with certain directions.

2. The first respondent herein had filed the writ petition seeking a direction to the Tahsildar, Salem West and the Surveyor of Old Suramangalam to survey and demarcate the property, which according to the first respondent is owned by him, based on the application dated 12.01.2026 within a time frame.

3. The learned Single Judge disposed of the writ petition, considering the fact that the application submitted by the first respondent dated 12.1.2026 has not been considered, without issuing notice to the appellants, disposed of the writ petition with the following directions:

"4. ...



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(a) Before surveying the lands in question, the respondents 1 and 2 are directed to issue notice to the respondents 4 to 6 and also to any other party, whom the respondents 1 and 2 deem it fit to put on notice.

(b) After receiving objections if any and after considering the same, the respondents 1 and 2 shall conduct survey and demarcate the boundaries of the property, more fully described in the prayer to this writ petition, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

(c) If the need arises for police assistance and on a request made by the respondents 1 and 2, the third respondent shall render police assistance for the effective implementation of this order."

4. Learned counsel for the appellants submitted that if the private parties, like the appellants, are added as respondents in the writ petition, they ought to have been given notice and upon hearing them only the learned Single Judge could pass an order. He further submitted that the learned Single Judge failed to consider that the first



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respondent without knowing the real fact has filed the writ petition, that too, without adding the original purchaser of the subject-property.

In fact, the first respondent has pleaded general statement in his affidavit filed in support of the writ petition and based on the said general statement, the writ court ought not to have issued directions.

5. On a perusal of the order of the learned Single Judge, we find that the learned Single Judge observed that "*since no adverse order is being passed against the respondents 4 to 6, notice to respondents 4 to 6 is dispensed with by this Court*". The learned Single Judge has further observed that "*no prejudice will be caused to respondents 1 and 2 if the said authorities are directed to survey and demarcate the boundaries of the petitioner's property, morefully described in the prayer to this writ petition, after hearing the objections if any from the respondents 4 to 6 as well as any other party whom the respondents 1 and 2 deem it fit*".

6. At this juncture, learned State counsel submitted that as of now no survey has been conducted.

7. We are of the view that the learned Single Judge, in fact, has



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protected the interest of the appellants by issuing the aforesaid directions. Therefore, there is no error in the order passed by the learned Single Judge.

Accordingly, the writ appeal is dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
21.07.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

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