



W.P No. 19379 of 2026

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 13-05-2026**

CORAM

**THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

**AND**

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**WP No. 19379 of 2026**

K.Arjunan  
S/o.Karuppanna Gounder  
Kattupalayam, Kadaiyur post-638 701  
Tiruppur Taluk and District

..Petitioner

Vs

1. The Collector of Tiruppur District  
Collectorate, Tiruppur-641 604
2. The Revenue Divisional officer(RDO)  
Kumaran Road, Valipalayam  
Tiruppur-641 601
3. The Revenue Tahsildar, Taluk office  
Kangayam-638 701, Tiruppur Taluk  
Tiruppur District
4. The Deputy superintendent of police  
Kangayam Dharapuram Road  
police quarters, Kalimedu  
Kangayam-638701, Tiruppur District
5. The Inspector of police  
Uthiyur police station  
Kangayam Dharmapuri Road  
Uthiyur-638 703, Kangayam Taluk  
Tiruppur District
6. M.Saminathan  
S/o.Muthusamy gounder  
Nezhali, Ellapalayampudur post-638701  
Kangayam Taluk, Tiruppur District



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7. R.Kangasabapathi  
S/o.Ramasamy gounder  
Nezhali,Ellapalayampudur post-638701  
Kangeyam Taluk, Tiruppur District
8. M.Chinnasamy  
S/o.Muthusamy gounder  
Nezhali,Ellapalayampudur post-638701  
Kangeyam Taluk, Tiruppur District
9. K.Ramasamy  
S/o.Karuppanna gounder  
Kurukkapalayam post,  
Koduvai via Kangeyam  
Tiruppur District
10. P.Ponnusamy  
S/o.Palanisamy gounder  
Karakuthumedu Thottam  
Olapalayam, Kurukkapalayam post  
Koduvai via, Kangeyam  
Tiruppur District
11. P.Thangavel  
S/o.Palanisamy gounder  
Karakuthumedu thottam  
Olapalayam, Kurukapalayam post  
Koduvai via Kangeyam  
tiruppur District
12. C.Marimuthu  
S/o.Chinnasamy  
Vadukkukadu,Thattaravalasu  
Kurukkapalyam post, Koduvai via  
Kangeyam Tiruppur District
13. Selvanayaki  
w/o.Balakrishnan,  
1st street, Garments Garden  
Madraskarar Apartments, Kangeyam Road  
Tiruppur -641 601



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14. B.Prejith  
S/o.Balakrishnan  
1st street, Garments Garden  
Madraskarar Apartments, Kangeyam Road  
Tiruppur -641 601

..Respondents

**Prayer :** Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to remove the encroachment made by respondents 10 to 14 and survey the road measuring an extent of 0-11.00 Hec/Ares, comprised in survey No.177/6 situated in Kurukkapalayam village, Kangeyam Taluk, Tiruppur District under application No.2025/0123/32/005613 dated 12.8.2025 with payment of necessary charges of Rs.860/- with the help and protection of 4th and 5th respondent police to survey the above lands and to measure the boundaries and fix the measurement stone on the edges of boundaries for the road in the above survey number and by implementing the letter W.S.A., A.M.No.005613/2025 dated 12.1.2026 of the 3rd respondent.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mr.P.Balathandayutham  
Special Government Pleader – for R1 to R5

Notice dispensed with – R6 to R14

### **ORDER**

**(Order of the Court was made by L.Victoria Gowri J.)**

The present writ petition has been filed seeking a direction to the third respondent to remove the encroachment made by respondents 10 to 14 and survey the road measuring an extent of 0-11.00 Hec/Ares, comprised in survey No.177/6



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situated in Kurukkapalayam village, Kangayam Taluk, Tiruppur District under application No.2025/0123/32/005613 dated 12.8.2025 with payment of necessary charges of Rs.860/- with the help and protection of 4th and 5th respondent police to survey the above lands and to measure the boundaries and fix the measurement stone on the edges of boundaries for the road in the above survey number and by implementing the letter W.S.A., A.M.No.005613/2025 dated 12.1.2026 of the 3rd respondent.

2. Heard Mr.T.Dhanasekaran, learned counsel for the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader appearing for respondents 1 to 5. Considering the limited scope of the relief sought for, notice to the private respondents R6 to R14 is dispensed with.

3. Learned counsel for the petitioner submitted that he has remitted the proper fee for conducting survey of the road by the third respondent, who has sought for police protection from the 4th and 5th respondents. However, the third respondent was unable to carry out the survey due to the objections raised by the private respondents herein and therefore the petitioner has approached this Court with the present writ petition.

4. Learned Special Government Pleader appearing for the respondents 1 to 5 submits that the petitioner's request for conducting the survey in the



aforementioned land would be considered within a stipulated time as fixed by this Court.

5. This writ petition is disposed of at the admission stage itself. It is open to any aggrieved party to move this Court either by way of review or recall of this order, if there is any suppression of material facts by the petitioner.

6. The writ petition is disposed of with the following directions:

(I) The petitioner is directed to submit all the relevant documents such as patta. The applicant must have individual patta in his / her name. If he / she is having joint patta, co-pattadars must give their consent for conducting survey.

(II) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(III) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(IV) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the objector is



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unable to obtain any injunction order, the survey can very well go on.

(V) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(VI) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(VII) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(VIII) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can never result in dispossession of any party. If the petitioner wants to put up fencing and if there is any objection from any private party, fencing can be put up only after the petitioner obtains decree from the jurisdictional Civil Court.

(IX) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice on the interested persons.



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(X) A copy of the survey report along with sketch will be served

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on the parties. No costs.

**(L.V.G.,J.)**  
**13-05-2026**

**(N.S.,J.)**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KST

To

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Kumaran Road, Valipalayam  
Tiruppur-641 601.
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**L.VICTORIA GOWRI J.  
AND  
N.SENTHILKUMAR J.**

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