



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 24347 of 2026

K.Govindarajan,
S/o.S.Krishna Chetty,
No.1/54, Mariyamman Kovil Street,
Puduchatram (Po), Namakkal Tk and Dt- 637 018.

..Petitioner(s)

Vs

1. The Revenue Divisional Officer
RDO Office, Mohanur Road,
Namakkal Dt- 637 001.
2. The Tahsildar, Namakkal Taluk
Mohanur Road, Thillaipuram,
Namakkal Dt- 637 001.
3. The Assistant Director of Survey and Land
Records
District Collectorate Building,
Tiruchengode Road, Namakkal Dt- 637 003.
4. The Firka Surveyor, Namakkal Taluk
Mohanur Road, Thillaipuram,
Namakkal Dt- 637 001.
5. The Inspector of Police
Puduchatram Police Station,
Salem-Namakkal Main Road,
Puduchatram, Namakkal Dt- 637 018.
6. A.Meenakshi Sundari
W/o.Masilamani,
1/55, Puduchattaram,
Namakkal Taluk, Namakkal District.

..Respondent(s)



PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for records relating to the impugned orders, namely 4th respondent's order dated 12.03.2026 published in the online portal of the Government and the message sent through SMS from Tamil nadu Government gateway to the petitioners Phone No.9789771397 rejecting the petitioners online application No.2025/N123/ 09/ 000265 and quash the same and Consequently direct the respondent nos.1 to 4 to survey and demarcate the boundaries and plant permanent boundary stones as per the FMB relating to the petitioner property situated in Old S.No.165/8 and new S.No.788/26 at Navani Village, Namakkal Taluk and District and to further direct the 5th respondent to provide police protection for surveying and planting boundary stones when requested by the respondents 1 to 4.

For Petitioner(s): Mr.N.Subramaniyan

For Respondent(s): Mr.M.Guruprasad
Government's Counsel
For R1 to R4

Mr.Durai Gunasekaran
Government's Counsel
(Crl.side) for R5

Order

This writ petition has been filed challenging the impugned order dated 12.03.2026, whereby the respondents 2 and 4 rejected the petitioner's request to survey, demarcate the boundaries of the petitioner's property citing the reason that the 6th respondent has filed the second appeal in respect of the same subject property.



2.Learned counsel for the petitioner would submit that initially the 6th respondent filed a suit in O.S.No.828 of 2007 seeking for permanent injunction in respect of the subject property, which was dismissed on 19.12.2017. Against which, he preferred appeal suit in A.S.No.13 of 2021, which was also dismissed vide order dated 18.09.2025. Now, the 6th respondent has preferred the second appeal which is pending in SR stage. He would further submit that the suit has been filed only for permanent injunction and not for declaration and at present, the petitioner is in the possession of the subject property. However, the official respondents 2 and 4 have rejected the petitioner's application for survey and demarcation citing the pendency of the second appeal. Hence, the present writ petition has been filed.

3.Learned Government's Counsel appearing for the respondents would submit that the 6th respondent lost the case in both the Subordinate Courts and now preferred the second appeal. He would fairly submit that the impugned order may be set aside and remand the matter back to the respondents 2 and 4.

4.Heard the learned counsel for the petitioner; learned Government's Counsel appearing for the respondents 1 to 4 as well as the learned Government Advocate appearing for the 5th respondent.



5. Considering the submissions made by both parties, it is evident that the 6th respondent has filed O.S.No.828 of 2007 seeking for permanent injunction and the same was dismissed on 18.09.2025. Aggrieved over the same, he preferred an appeal suit in A.S.No.13 of 2018 which was also dismissed vide order dated 18.09.2025 and now the 6th respondent has preferred the second appeal which is pending in SR stage. However, the petitioner is in possession of the subject property and certainly all the documentary evidence are available with the petitioner. The pending second appeal is not a bar to measure the property, as it seeks a permanent injunction rather than a declaration. Therefore, the petitioner is entitled to survey and demarcate the subject property, and there is no impediment for respondents 2 and 4 to do the same. Thus, this Court is inclined to set aside the impugned order.

6. Accordingly the impugned order dated 12.03.2026 is hereby set aside. The respondents 2 and 4 are directed to complete the survey within a period of six (6) weeks from the date of receipt of a copy of this order, after issuing prior notice to the petitioner, 6th respondent and other parties concerned, if any. If any need arises for Police assistance, it is open to the respondents 2 and 4 to request for Police protection from the 5th respondent/jurisdictional Police. If any such request is made, the 5th respondent/jurisdictional Police is directed to provide an adequate Police protection for conducting the survey.



7. It is made clear that this order is passed only for the purpose of issuing a direction to the respondents 2 and 4 to conduct survey and to demarcate the subject property. In the event any dispute arises regarding the possession of the subject property, the same has to be decided by way of filing a suit before the competent Civil Court.

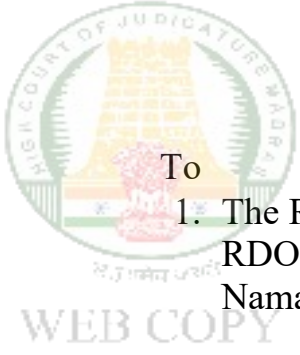
8. With the above direction, this writ petition is disposed of. No costs.

9. Post the matter on 17.08.2026, under the caption For Reporting Compliance”.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RST



To

1. The Revenue Divisional Officer,
RDO Office, Mohanur Road,
Namakkal Dt- 637 001.
2. The Tahsildar, Namakkal Taluk,
Mohanur Road, Thillaipuram,
Namakkal Dt- 637 001.
3. The Assistant Director of survey and Land
Records
District Collectorate Building,
Tiruchengode Road, Namakkal Dt- 637 003.
4. The Firka Surveyor, Namakkal Taluk
Mohanur Road, Thillaipuram,
Namakkal Dt- 637 001.
5. The Inspector of Police,
Puduchatram Police Station,
Salem-Namakkal Main Road,
Puduchatram, Namakkal Dt- 637 018.



WEB COPY

WP No. 24347 of 2



KRISHNAN RAMASAMY J.

RST

WP No. 24347 of 2026

25-06-2026