



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 25528 of 2026

AND

WMP NO. 27852 OF 2026

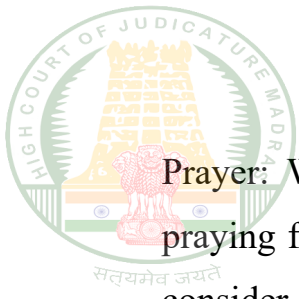
Uthammal
W/o.Kandasamy,
Kattanai Street,
Enam Bairoj,
Nallarayanpatty Village,
Salem Taluk,
Salem District.

..Petitioner(s)

Vs

1. The Tahsildar
Sankari Taluk Office,
Sankari- 637 301
Salem District.
2. The Head Surveyor
Survey Department,
Sankari Taluk Office,
Sankari- 637 301
Salem District.
3. The Inspector of Police
Magundanchavadi Police Station,
Magudanchavadi- 637 103
Salem District.
4. K.Jayaraman
S/o.Kanthasamy,
D.No.19, Kilakku Theru,
2-Pallapatti,
Salem- 636 009.
Salem District.

..Respondent(s)



Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the Respondents herein to consider the Petitioners objection dated 22.05.2026, and consequently forbearing the Respondents 2 and 3 from in any manner conducting Survey, measurement, demarcation or altering the Physical features of the Petitioners property in SF Nos.3/3A1, 3/3A2, 3/3H in Kanagagiri Village, Sankari Taluk, Salem District Pending disposal of the Civil Suit in O.S.No. 114 of 2024 and OS No.73 of 2025 on th file of the Ld.Sub Court, Sankari and pass.

For Petitioner(s): Mr.M.ADHISHREE

For Respondent(s): Mr.B.Pachaiyappan, Government Counsel for R1 and R2
Mr.Durai Gunasekaran, Government Advocate (Crl.Side) for R3

Order

This Writ Petition has been filed to direct the Respondents herein to consider the Petitioners objection dated 22.05.2026, and consequently forbear the Respondents 2 and 3 from conducting Survey, measurement, demarcation or altering the Physical features of the Petitioners property.

2. The learned counsel for the petitioner submitted that, originally, the subject property measuring 1.37 acres, comprised in S.F. No. 3/3 in Kanagagiri Village, Sankari Taluk, Salem District, was purchased by the petitioner's mother by virtue of a sale deed dated 17.02.1964. Subsequently, the property was subdivided and a joint patta was issued. Following the demise of the



petitioner's mother, the petitioner, along with her sisters, took possession of the property. While they were in peaceful enjoyment, the fourth respondent threatened the petitioner's family to vacate the property, relying on a sale deed dated 25.11.2024. Thereafter, the petitioner learned that one Chinnaponnu, the granddaughter of the original vendor, had filed a suit in O.S. No. 114 of 2013 against her own siblings without impleading the petitioner or her family members. A collusive compromise decree was passed in that suit on 18.08.2013, based on which the said Chinnaponnu executed a fraudulent sale deed dated 25.11.2024 in favour of the fourth respondent. Consequently, the petitioner and her sisters filed O.S. No. 73 of 2025 against the fourth respondent and 23 others to declare the said sale deed null and void, which is currently pending. While the matter stood thus, the fourth respondent suppressed the pendency of the civil suit and filed W.P. No. 16271 of 2026 seeking a survey and boundary demarcation. The said writ petition was disposed of with a direction to the official respondents to conduct the survey after issuing due notice to all necessary parties. However, on 14.05.2026, respondents 1 to 3 attempted to survey the property without serving any notice upon the petitioner or her co-owners. Aggrieved by this, the petitioner submitted a detailed objection dated 22.05.2026 to the Revenue Divisional Officer, Sankari, as well as to respondents 2 and 3. Despite this, the official respondents failed to consider the objections and are persisting in their attempts to conduct the survey, and hence, the petitioner has approached this Court.



3. The learned Government Counsel appearing for the official respondents submitted that, pursuant to the order of this Court dated 28.04.2026 in W.P. No. 16271 of 2026, the respondents are merely taking steps to survey the land and install survey stones. He further submitted that the official respondents intend only to demarcate the property lines and fix boundaries, and have no intention of interfering with the petitioner's peaceful possession. He contended that if any dispute regarding title or possession survives, the aggrieved parties must seek redressal before the competent civil court.

4. Considering the submissions made by both parties and in view of the limited prayer sought for in this writ petition, this Court without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider the conduct a survey and demarcate the subject properties, after issuing prior notice and affording an opportunity of personal hearing to the petitioner and other parties concerned including the 4th respondent. If any need arises for Police assistance, it is open to the respondents 1 and 2 to request for Police protection from the 3rd respondent/jurisdictional Police. If any such request is made, the 3rd respondent/jurisdictional Police is directed to provide an adequate Police protection for conducting the survey.



5. In the event of any dispute regarding possession, the official respondents shall not adjudicate upon the question of title. The petitioner and the concerned parties are at liberty to approach the competent Civil Court for recovery of possession and for appropriate reliefs in accordance with law. The official respondents shall not involve themselves in such proceedings or take any action affecting the rights of the parties unless specifically directed by the competent Civil Court.

6. With the above direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is closed.

03-07-2026

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

SK

To

1. The Tahsildar
Sankari Taluk Office,
Sankari- 637 301
Salem District.
2. The Head Surveyor
Survey Department,
Sankari Taluk Office,
Sankari- 637 301
Salem District.
3. The Inspector of Police
Magundanchavadi Police Station,
Magudanchavadi- 637 103
Salem District.



WEB COPY

WP No. 25528 of 2



KRISHNAN RAMASAMY J.

sk

**WP No. 25528 of 2026
AND
WMP NO. 27852 OF 2026**

03-07-2026