



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 49665 of 2025

P.Srimathi
W/o.Venkatakrishnan,
No.1- A, Muthu Street,
Krishnapuram, Gingee,
Vizhupuram District 604202.

..Petitioner(s)

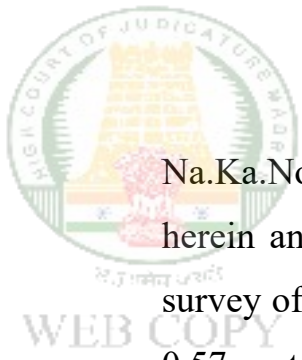
Vs

1. The Tahsildar
Melmalayanur Taluk Office,
Melmalayanur,
Vizhupuram District.
2. The Head Surveyor,
Melmalayanur Taluk Office,
Melmalayanur,
Vizhupuram District.
3. The Inspector Police,
Valathi Police Station,
Valathi, Melmalayanur Taluk,
Vizhupuram District.
4. Mrs. Usha,
W/o.Late Rangasami,
No.1/152, Perumal Kovil Street,
Chittampoondi Village,
Meenampour (po), Gingee Taluk,
Vizhupuram District.

..Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Certiorarified Mandamus, calling for the records in



Na.Ka.No.E1 /2109 /2025 dated 12/09/2025 on the file of the 1st Respondent herein and quash the same, and directing the respondents 1 and 2 to conduct survey of the land belonging to the petitioner comprised in Survey No.20/ 9 B - 0.57 cents with the aid of the 3rd Respondent.

For Petitioner(s): Mr.R.Rajarajan, for M/s.S.Elumalai

For Respondent(s): Mr.P.Elayaraj Kumar, SGP for R1 & 2
Mr.Durai Gunasekaran, Govt. counsel for R3
Mr.K.Gandhi Kumar for R4

Order

This writ petition has been filed challenging the impugned order dated 12.09.2025 passed by the 1st respondent.

2. The learned counsel appearing for the petitioner would submit that in this case, the petitioner's vendor and the 4th respondent are entitled for 1/5th share of the subject property each. Subsequently, the remaining 3/5th share was purchased by the petitioner's vendor from the other share holders and sold his entire entitlement of 4/5th share of the subject property to the petitioner along with boundaries. Thereafter, separate patta was also issued for the said portion of land in favour of the petitioner. Based on the said patta, now, an application was filed by the petitioner before the respondent for conducting survey and demarcation at the subject land. However, the said application was rejected by the respondent vide impugned order dated 12.09.2025 by citing the suit, which is pending between the petitioner and the 4th respondent. Hence, this petition.



3. On the other hand, the learned counsel appearing for the 4th respondent would submit that the 4th respondent is one of the co-sharer, who is entitled for 1/5th share of the subject property. However, without executing any partition, the remaining 4/5th share of the said property was purchased by the petitioner with boundaries and subsequently patta was also obtained by him. Hence, a suit was filed against the issuance of said patta in favour of the petitioner and same is pending in OS.No.26/2025.

4. In reply, the learned counsel appearing for the official respondents would submit that due to the pendency of aforesaid suit, the respondents are not in a position to entertain the petitioner's representation and accordingly, passed the impugned order dated 12.09.2025. Hence, he requests this Court to pass appropriate orders.

5. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

6. In the case on hand, the petitioner had purchased around 4/5th share of the subject property with boundaries and subsequently patta, in respect of the said portion, was also issued in his favour. Based on the said patta, an application was filed by the petitioner before the respondent for conducting



survey and demarcation at the subject land. However, the said application was rejected by the respondent vide impugned order dated 12.09.2025. On the other hand, it was submitted by the 4th respondent that a suit was filed against the issuance of said patta in favour of the petitioner and same is pending in OS.No.26/2025.

7. Therefore, it is clear that though the patta was obtained by the petitioner, the same is under challenge vide the aforesaid suit. In such case, until the disposal of said suit, it is not proper for the Revenue Authorities to conduct survey at the subject property based on the petitioner's request. Hence, the 1st respondent had rightly passed the impugned rejection order dated 12.09.2025.

8. In view of the above, this Court is not inclined to entertain this petition. If there is any urgency in conducting survey, the petitioner can very well approach the Civil Court, where the aforesaid suit is pending, and file an appropriate application for the same in the manner known to law.

9. In the result, this writ petition is dismissed. No cost.

06-08-2026

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



To

1. The Tahsildar
Melmalayanur Taluk Office,
Melmalayanur, Vizhupuram District.
2. The Head Surveyor,
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Melmalayanur, Vizhupuram District.
3. The Inspector Police,
Valathi Police Station,
Valathi, Melmalayanur Taluk,
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KRISHNAN RAMASAMY J.

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