



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 50836 of 2025

Fazlur Rahman
S/o.Noor Mohamed, Rep By Power Of Attorney,
S.K.Shameem Begum,
No.490, Tatcha Khader Sahib Street,
Muslimpur, Vaniyambadi, Thirupathur District,
Pincode-635751

..Petitioner(s)

Vs

1. The District Collector
Collectorate, Government Garden, Tirupathur,
Pincode-635601
2. The District Revenue Officer(dro)
Collectorate, Government Garden, Tirupathur,
Pincode-635601
3. The Revenue Divisional Officer(rdo)
Tirupathur Division, Post Office Road,
Tirupathur, Pincode-635 601
4. The Tahsildar
Tirupathur Division, Taluk Office, Tirupathur,
Pincode-635601
5. The Government Surveyor
Land Survey Division, Tirupathur Taluk,
Taluk Office, Tirupathur, Pincode-635 601

..Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the report in Na.Ka.No.2/6186/2025 dated 28.11.2025 issued by the 4th



respondent herein based on the report submitted to him by the 5th respondent herein based on the report submitted to him by the 5th respondent and thereby quash the same and simultaneously direct the 1st to 4th respondent to give necessary instruction to the 5th respondent to conduct the survey of the property based on the Application /Receipt No.2025/0123/36/005317 dated 15.9.2025 and provide his with official written survey report

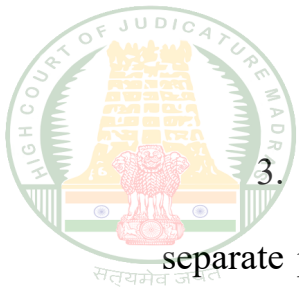
For Petitioner(s): Mr.M.Mohamed Muzammil

For Respondent(s): Mr.C.Prabakaran, Govt. counsel

Order

This writ petition has been filed challenging the impugned report dated 28.11.2025 issued by the 4th respondent.

2. The learned counsel for the petitioner would submit that in this case, initially, an application was filed for conducting survey at the subject land. However, since the petitioner was at abroad, he was not in a position to appear before the respondent. Under these circumstances, the impugned report came to be issued by stating that the petitioner had failed to appear before the respondents and no separate or joint patta copy, pertaining to the subject land, issued in favour of the petitioner, was produced before the respondents.

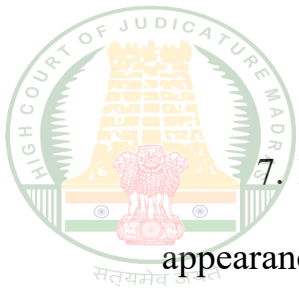


3. Further, he would submit that now, the petitioner is in India and a separate patta, pertaining to the subject property, was also issued in favour of the petitioner. Hence, he requests this Court to set aside the impugned report and provide an opportunity to establish his case before the respondent. Hence, this writ petition.

4. In reply, the learned counsel appearing for the respondents would submit that if a copy of separate patta is produced before the respondents with boundaries, the same will be considered. 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, since the petitioner was at abroad, he was not in a position to appear before the respondent and hence, the impugned report came to be issued by stating that the petitioner had failed to appear before the respondents and no separate or joint patta copy, pertaining to the subject land, issued in favour of the petitioner, was produced before the respondents. Now, it was submitted by the petitioner that he is in India and a separate patta, pertaining to the subject property, was also issued in favour of the petitioner.

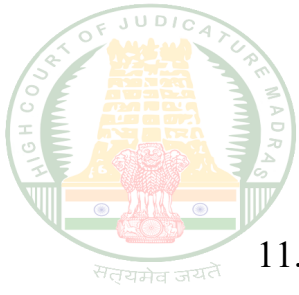


7. In view of the above, the reason assigned by the petitioner, for non-appearance before the respondent, appears to be genuine. Therefore, this Court is inclined to grant an opportunity to the petitioner by setting aside the impugned report. Accordingly, the impugned report dated 28.11.2025 issued by the 4th respondent is set aside.

8. The petitioner is directed to produce a copy of separate patta issued in his favour. In such case, the respondents shall consider the petitioner's application, on merits and in accordance with law, within a period of 6 weeks from the date of receipt of patta copy from the petitioner.

9. It is made clear that this order is passed only for the purpose of issuing a direction to the official respondents for conducting survey at the subject land. If there is any dispute with regard to the title/possession over the said property, the same has to be decided only by way of filing a suit before an appropriate Civil Court.

10. If any police protection is required at the time of conducting survey, the revenue officials are granted liberty to avail the same by approaching the jurisdictional police station. In such case, the concerned police officer shall provide all necessary protection to the revenue officials till the completion of survey at the subject land.



11. With the above directions, this writ petition is disposed of. No cost.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nsa

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KRISHNAN RAMASAMY J.

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