



**W.P(MD)No.18407 of 2026**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.07.2026**

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**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.18407 of 2026**

S.Nagendran

... Petitioner

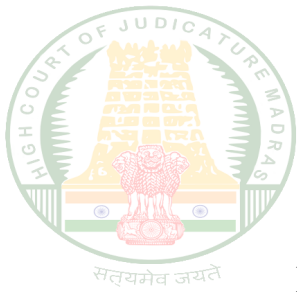
Vs

1. The District Collector,  
Theni District, Theni.

2. The Assistant Director,  
District and Land Survey Office,  
Theni District, Theni.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order passed by the second respondent in O.Mu.Aa3/3962/15, dated 19.10.2015, quash the same and consequently direct the respondents to conduct a fresh survey, measure and demarcate the petitioner's land comprised in Survey No. 1424/1, situated at Kovilpatti Village, Kathiriyagoundanpatti Natham, Aundipatti, Theni District, within the time frame fixed by this Court.



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For Petitioner : Mr.K.Gokul  
For Respondents : Mr.S.Siva Thilakar  
Counsel for State of Tamil Nadu

### **ORDER**

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the second respondent dated 19.10.2015 and consequently direct the respondents to conduct a fresh survey, measure and demarcate the petitioner's land comprised in Survey No. 1424/1, situated at Kovilpatti Village, Kathiriyagoundanpatti Natham, Aundipatti Taluk, Theni District, within the time frame fixed by this Court.

2. The petitioner is claiming right over the property comprised in Survey No.1424/1. According to the petitioner, his father, late Subramani, purchased the said property measuring an extent of 1,440 square feet vide Document No.146 of 2009 dated 19.01.2009. Thereafter, the petitioner's father submitted an application seeking to survey the property. Since the same was not considered, the petitioner's father filed W.P.(MD)No. 22018 of 2015. However, the said writ petition was dismissed for non-prosecution on 05.03.2020 and 10.03.2020. It is further submitted that the petitioner's father died on 26.02.2020.



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3. It is seen that the petitioner's father died. Therefore, there was no instruction in the said writ petition. Now, the petitioner has filed a fresh writ petition seeking to quash the same order. In the impugned order, the respondents have stated that the petitioner's property does not have identifiable four boundaries and that there exists a water tank, a pathway and a vacant site. Therefore, according to the respondents, the property cannot be surveyed. However, it is seen from the sale deed executed in favour of the petitioner's father that there are roads on either side of the property and that the water tank has also been shown as one of the boundaries. When the petitioner's father purchased the property by showing the water tank as one of its boundaries, the respondents cannot reject the request for survey by citing the very same water tank as a reason. Therefore, the impugned order is quashed. However, it is seen that the petitioner's father had submitted the application in the year 2015. Since the procedure for submitting survey applications has now changed, the petitioner is directed to submit a fresh online application within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of such application, the official respondents are directed to consider the same and conduct a survey of the property after issuing notice to the petitioner and the rival claimants, if any, within a period of twelve weeks thereafter. If the first respondent requires police protection for conducting the survey, the same shall be provided by the jurisdictional police. The official respondents shall adhere to the following



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### Standard Operating Procedures:

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- The official respondents shall issue notice to the petitioner immediately reaching the spot where survey is to be conducted. The petitioner shall affix the signature by receiving the notice of survey.
- After survey again the petitioner shall affix signature indicating that the survey was conducted to their satisfaction.
- If the petitioner is not satisfied, then also the petitioner shall affix signature indicating their dissatisfaction or with protest. The petitioner shall indicate that reason of their dissatisfaction or protest.

The aforesaid procedure shall be strictly followed by the parties.

4. With the above directions, this Writ Petition is allowed. There shall be no order as to costs.

**01.07.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes

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To:

1. The District Collector,  
Theni District, Theni.
2. The Assistant Director,  
District and Land Survey Office,  
Theni District, Theni.



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**S.SRIMATHY, J.**

jbr

**ORDER MADE IN  
W.P(MD)No.18407 of 2026**

**DATED : 01.07.2026**