



W.P.(MD) No.19016 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.19016 of 2026
and
W.M.P(MD)No.14044 of 2026**

Roja Alias Abdulla Beevi

.. Petitioner

- Vs. -

1. The District Collector,
Collector Office Campus,
Madurai District.
2. The Tahsildar,
Office of the Tahsildar,
Madurai East,
Madurai District.
3. The Village Administrative Officer (VAO),
Mathur Village,
Madurai District - 625 301.
4. The Head Surveyor,
Office of the Head Surveyor,
Madurai East,
Madurai District.



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5. The Inspector of Police,
Appanthirupaththi Police Station,
Appanthiruppathi,
Madurai District.

6. M. Sikkandar

7. S. Najmudeen

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd and 3rd respondent herein to consider the petitioner's representation dated 29.06.2026.

For Petitioner : Mr.B.Gokul Prasanth

For Respondents : Mr.Venkatesh
Standing Counsel for Corporation
for R1 to R4

:Mr.P.Vetrivel
Government Advocate(Crl. side)
for R5

: Mr.D.S.Haroon Rasheed
for R6 and R7



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ORDER

The petitioner has filed this writ petition for a mandamus to direct the 2nd and 3rd respondent to remove the obstructions made by the private respondents.

2. It appears that the private respondent No.7 had earlier approached the Court in WP(MD)No.562 of 2026. This Court, after considering the arguments of the petitioner/who was the 4th respondent therein, the petitioner therein and the Government counsel, who appeared for the respondents, passed an order dated 09.01.2026.

3. Pursuant to the above, another order was also passed at the behest of the private respondent No.6 in WP(MD)No.677 of 2026, dated 09.01.2026. In these two writ petitions filed by the private respondents 6 and 7, two separate orders were passed. The operative portions reads as under:



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Sl.	Case	Operative Portion
1.	WP(MD)No. 562 of 2026	5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that after issuing notice to the adjacent land owners, appropriate steps would be taken to survey and demarcate the land in accordance with Sections 9 and 10 of the Tamil Nadu Survey and Boundaries Act, 1923. 6. Recording the aforesaid submission, this writ petition stands disposed of with a direction to the respondents 1 and 2 to consider and dispose of the petitioner's application dated 08.07.2025 for survey and demarcation on merits and in accordance with law. Notice shall be issued to the petitioner, the respondents 4 and 5 and the owners of adjacent lands and appropriate orders shall be passed in accordance with Sections 9 and 10 of the Tamil Nadu Survey and Boundaries Act 1923, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the revenue officials may seek assistance from the third respondent, if Police assistance is required while carrying out such survey. In the event of any rival claims, the same can be agitated before the competent civil court. No costs."
2.	WP(MD)No.677 of 2026	6. Recording the aforesaid submission, this writ petition stands disposed of with a direction to the respondents 1 and 2 to consider and dispose of the petitioner's application dated 11.07.2025 for survey and demarcation on merits and in accordance with law. Notice shall be issued to the petitioner, the respondents 4 and 5 and the owners of adjacent lands and appropriate orders shall be passed in accordance with Sections 9 and 10 of the Tamil Nadu Survey and Boundaries Act 1923, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the revenue officials may seek assistance from the third respondent, if Police assistance is required while carrying out such survey. In the event of any rival claims, the same can be agitated before the competent civil court. No costs.



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4. Pursuant to the above, a survey was conducted by the 4th respondent. And thus the 6th and 7th respondents have barricaded the property in Survey No.54 which according to the petitioner obstructs the passage to the petitioner's property in Survey No.52 and 53(b).

5. The private respondents who are the petitioners in the other two writ petitions would submit that the petitioner has an access to the property in survey No.52 and 53(b) and therefore the present writ petition is liable to be dismissed. That apart, the learned counsel for the respondent No.7 would submit that the petitioner's son had also given an undertaking to the vendors of the private respondents, namely, Ayeeshabeevi that they will use the land in Survey No.54 only for transporting the construction material to their property and that they will not claim any rights over it.

6. It appears that there is a private dispute between the parties. The petitioner's right to access to the property cannot be curtailed and necessarily, the petitioner has to work out the remedy before civil Court by establishing an easement right. Therefore, I am not inclined to entertain this writ petition for the relief sought for.



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7. The Writ Petition is therefore liable to be dismissed. However, liberty is given to the petitioner to approach the civil Court for appropriate relief. Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

13.07.2026

Index : Yes / No
NCC : Yes/No
PJJ

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C.SARAVANAN, J.

PJL

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