



W.P.No.13037 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.13037 of 2024
and
WMP.No.14201 of 2024

M/s.RPP Blue Metals
rep. by its partner,
P.Selvasundaram,
No.156, Mullam Parappu,
Nathakoundinpalayam Post,
Erode District-638 115.

... Petitioner

Vs.

1.The Tahsildar,
Kangeyam Taluk, Kangeyam,
Tiruppur District.

2.The Taluk Surveyor,
Kangeyam Taluk,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the respondents from surveying the petitioner's private property at SF No.46 (Old SF No.893/2), Kuttappalayam Village, Kangeyam Block, Kangeyam Taluk, Tiruppur District.

For Petitioner : Mr.Kamalesh Kannan

For Respondents : Mr.Stalin Abhimanyu,AGP



WEB COPY



W.P.No.13037 of 2024

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to settle the outstanding balance of Rs.88,99,653/- (Rupees Eighty Eight Lakhs Ninety-Nine Thousand Six Hundred and Fifty Three Only) due and payable to the petitioner for the executed work of the subject tender DPR work.

2. Heard the learned counsels on either side.

3. The learned counsel for the petitioner submitted that the petitioner is the owner of the land measuring to an extent of 4.97.00 hectares in Survey No.46 (Old SF No.893/2), Kuttappalayam Village, Kangeyam Block, Kangeyam Taluk, Tiruppur District and old survey number. He further submitted that the petitioner received a notice from the first respondent for survey of his land without any application made by him for same. He contended that without petitioner's consent, surveying his land is impermissible in law, however, the same was dropped based on his legal notice dated 22.03.2024. He further submitted that he received a notice again from the first respondent intimating him that his property would be



W.P.No.13037 of 2024

surveyed after State Election and hence, the present Writ Petition.

4. Per contra the learned Additional Government Pleader appearing for the respondents submitted that they received a complaint from a third party that the petitioner is doing illegal quarry operations in his land and thereby the respondents made a request to the survey department to inspect the subject property.

5. Considering the facts and circumstances of the case, this Court is of the view that the respondents without conducting any enquiry in regard to the complaint of alleged illegal quarry operations as against the petitioner, has passed the impugned notice dated 26.03.2024, which is in violation of principles of natural justice and hence, the same is set aside. However, this Court, by taking note of the submissions of the learned Additional Government Pleader for the respondents directs the Tahsildar/first respondent herein to conduct an enquiry based on the complaint received, after affording an opportunity of hearing to the petitioner as well as the defacto complainant and any other interested parties concerned and shall pass appropriate orders in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no orders as to costs.



WEB COPY



W.P.No.13037 of 2024

Sd/-

10.11.2025

//True Copy//

Sub Assistant Registrar

DP

To

1.The Tahsildar,
Kangeyam Taluk, Kangeyam,
Tiruppur District.

2.The Taluk Surveyor,
Kangeyam Taluk,
Tiruppur District.



WEB COPY



W.P.No.13037 of 2024

M.DHANDAPANI.J,

DP

W.P.No.13037 of 2024
and
WMP.No.14201 of 2024

10.11.2025