



W.P.No.20816 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.No.20816 of 2025
and
W.M.P.Nos.23485 & 26343 of 2025**

1. K.Ramasamy
2. R.Sivakumar

... Petitioners

Vs.

1. The District Collector,
Collectorate,
Erode - 638 011,
Erode District.

2. The Revenue Tahsildar,
Perundurai Taluk,
Erode District.

3. The Taluk Surveyor,
Perundurai Taluk,
Erode District.

4. K.M.Periyasamy

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India



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praying for issuance of writ of mandamus, to direct the respondents 2 & 3 to conduct re-survey in R.S.No.484/3 (1.21 acres) and R.S.No.490/1 (1.64 acres), Kavundachi Palayam Village, Perundurai Taluk, Erode District by considering the petitioner's online Application No.2025/0123/10/004755 dated 15.05.2025.

For Petitioners : Mr.N.Manoharan

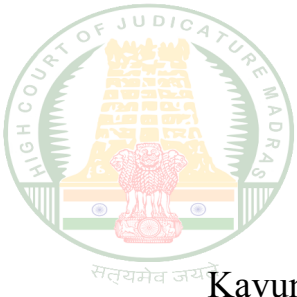
For Respondents : Mr.P.Sathish
Addl. Govt. Pleader for R1 to R3
Mr.L.P.Shanmugasundaram for R4

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents 2 & 3 to conduct re-survey pursuant to the online application submitted by the petitioners on 15.05.2025.

2. By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioners are owners of their ancestral lands comprised in R.S.No.484/3 (old S.F.Nos.105 and 106) measuring an extent of 1.21 acres and R.S.No.490/1 (Old S.F.No.107) measuring an extent of 1.64 acres at

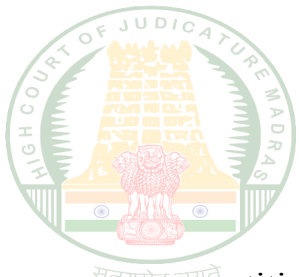


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Kavundachipalayam, Perundurai Taluk, Erode District. It is stated by learned counsel for fourth respondent that he had submitted an application to conduct the survey of the property comprised in R.S.No.484/3 and R.S.No.490/1. It is the case of petitioners that the above survey came to be made without affording a reasonable opportunity of hearing to the petitioners inasmuch as the survey notice was served on petitioners on 01.05.2025 at 5.00 p.m informing that the survey would be conducted on 02.05.2025. As a result, petitioners were not in a position to participate in the survey. It is under these circumstances, the present writ petition has been filed requesting re-survey to be carried out the subject property. It is also stated that the petitioners had taken out application on 15.05.2025 in this regard.

4. At the outset, it is submitted by Mr.P.Sathish, learned Additional Government Pleader appearing for respondents 1 to 3 that they will consider the petitioners' application and re-survey the subject property within a time frame to be fixed by this Court, which was agreed to by learned counsel for

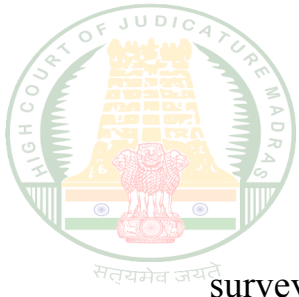


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petitioners.
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5. Learned counsel for fourth respondent would submit that the Rural Development Agency has allotted more than a crore for construction of road and therefore, delay in conducting the survey may result in the allotted funds lapsing. He would only request re-survey as sought for by petitioners to be conducted within the stipulated time frame to which neither the petitioners nor the official respondents have any objection and would rather submit that the entire exercise would be completed within a period of two weeks from today.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this petition, this Writ Petition is disposed of with a direction to the concerned respondent to survey the petitioners' land on 09.07.2025. Petitioners and fourth respondent would participate in the survey without any further notice and pass orders in accordance with law within a week thereon. If Police protection is required while conducting re-



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survey, second respondent would approach the concerned jurisdictional Police Station. If any request is made, the concerned jurisdictional Police is directed to provide adequate police protection for conducting re-survey. No costs. Consequently, connected miscellaneous petitions are closed.

27.06.2025
(2/2)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The District Collector,
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Erode District.
2. The Revenue Tahsildar,
Perundurai Taluk,
Erode District.
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