



W.P.No.24723 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.24723 of 2025

C.Kannan,
S/o.Chandrasekaran

... Petitioner

Vs.

1.The District Collector,
District Collector Officer Campus,
Thiruvarur District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Thiruvarur District.

3.The Tahsildar,
Nannilam Taluk Office,
Thiruvarur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 2nd respondent to re-survey and measure the petitioner's field boundaries comprising in survey number 53/15, measuring to an extent of 0.11.95 Ares situated at Moongilkudi Village, Nannilam Taluk, Thiruvarur District in pursuance of the petitioner's E-Challan No.20240426007388 and pass orders to consider in the light of the representation dated 26.04.2024.



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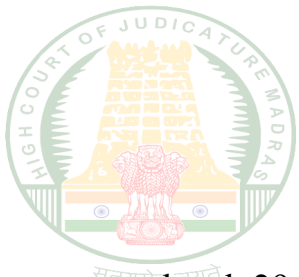
For Petitioner : Mr.V.Saravanan
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

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

2. The present writ petition is filed praying for a writ of mandamus, to direct the 2nd respondent to re-survey and measure the petitioner's field boundaries comprised in S.No.53/15, measuring an extent of 0.11.95 Ares situated at Moongilkudi Village, Nannilam Taluk, Thiruvarur District in pursuance of the petitioner's E-Challan No.20240426007388 and to pass orders in the light of the representation dated 26.04.2024.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the absolute owner of the subject property and he has been in enjoyment of the same. The property comprised in S.No.53/15 (Old S.No.53/4), measuring an extent of 0.11.95 Ares situated at Moongilkudi Village, Nannilam Taluk, Thiruvarur District was partitioned by the petitioner and his siblings after the demise of their parents, by virtue of a Partition Deed bearing Doc.No.852 of 2023



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dated 29.03.2023 registered on the file of the Nannilam Sub Register Office, Thiruvavarur District. It is in these circumstances, the petitioner made a representation to the 3rd respondent on 13.03.2024 seeking to survey and measure the petitioner's field boundaries comprised in S.No.53/15 and demarcate the boundaries in respect of the subject property. Upon receiving the same, survey has been conducted by the authorities on 25.04.2024 as per the village revenue records. As the extent of land recorded in the survey differed from the extent mentioned in the registered Partition Deed, the petitioner preferred an appeal by way of representation to the 2nd respondent on 26.04.2024, seeking to re-survey the subject property, and is still pending. Aggrieved by the same, the petitioner has come before this Court.

4. At the outset, it is submitted by the learned Special Government Pleader for the respondents that due to pendency of appeal preferred by the petitioner, the present writ petition is not maintainable.

4.1. In any event, it is submitted by learned Special Government Pleader that the above appeal of the petitioner, which is stated to be pending would be considered and appropriate orders would be passed in accordance with law within



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the time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 2nd respondent, to consider the appeal dated 26.04.2024 submitted by the petitioner by way of representation, on its own merits and pass appropriate orders in accordance with law, after affording a reasonable opportunity of hearing to the petitioner and other interested parties including rival claimants if any, within a period of sixteen (16) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the 2nd respondent to consider and dispose of the appeal dated 26.04.2024 on its own merits and in accordance with law.

6. The writ petition, is thus, disposed of. No Costs.

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Speaking (or) Non Speaking Order
Neutral Citation : Yes / No

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MOHAMMED SHAFFIQ, J.



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