



W.P.No.29769 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.29769 of 2025

and

WMP Nos.33393 and 33394 of 2025

Mr.A.Vembusekar

: Petitioner

Vs.

- 1.State of Tamil Nadu,
by its District Collector,
District Collector Office,
Namakkal,
Namakkal District -637 003.
- 2.The District Revenue Officer,
District Collector Office,
Namakkal,
Namakkal District-637 003.
- 3.The Revenue Divisional Officer,
Mohanoor Road,
Namakkal Town,
Namakkal District- 637 001.
- 4.The Tahsildar,
Taluk Office, Rasipuram,
Namakkal District -637 401.



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5.Mr.Muthu Naicker

: Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus calling for the records of the third respondent dated 31.07.2025 in Na.Ka.No.5329/2024/B1 and to quash the same and consequently forbear the respondents 1 to 4 from in any way interfering with the issue of title or ownership for S.No.53/2 situated at Murugapatti Village, Rasipuram Taluk, Namakkal District under the guise of measuring the land and pass orders.

For Petitioner : Mr.J.Srinivasa Mohan
for M/S.TVJ Associates

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. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to respondent No.5 is dispensed with.

2. The present writ petition is filed challenging the notice dated 31.07.2025, wherein the petitioner and his family members have been issued with a notice/summon indicating that property comprised in S.No.53/2, situated at



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Murugapatti Villlage, Rasipuram Taluk, Namakkal District is sought to be surveyed pursuant to a representation dated 28.11.2022 made by fifth respondent in respect of subject property.

3. It is submitted by the learned counsel for the petitioner that petitioner's family members are the absolute owners of subject property. He would submit that they have valid title documents and also revenue records in the form of A register, patta, chitta etc., which would indicate that they are owners of subject property. The notice for conducting survey on the basis of a representation made by fifth respondent is unwarranted. He would submit that fifth respondent is stranger to subject property and has no right, title or interest over the subject property.

4. At this juncture, learned Special Government Pleader would submit that petitioner may submit his objection along with relevant documentary evidence to show that title in the subject property belongs to his family members. An enquiry would be conducted after issuing notice to petitioner, fifth respondent and all other interested parties including the temple and appropriate orders would be passed. He would also submit that for the present unless the enquiry is over, they would not



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proceed with the proposed survey, which was agreed to by the learned counsel for petitioner.

5. In view thereof, this court is inclined to dispose of the writ petition with following directions:

i) It is open to the petitioner to submit his objection to notice dated 31.07.2025 to the third respondent along with relevant documentary evidence to show that title in the subject property belongs to his family members.

ii) The third respondent shall conduct enquiry after issuing notice to petitioner, fifth respondent and all other interested parties including the temple and afford a reasonable opportunity of hearing to them and pass appropriate orders.

iii) Though facts have been set out extensively in the affidavit, this court does not propose to deal with it while leaving it open to third respondent to call for any document/conduct enquiry to satisfy itself of the fifth respondent's entitlement for requesting survey of subject property.

iv) 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 concerned respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the



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petitioner and all other interested parties are left open.

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6. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

07.08.2025

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



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To

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MOHAMMED SHAFFIQ, J.

(mrn)

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