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W.P.No.33936 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.09.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.33936 of 2025

K.PICHAIIYAMMAL

...Petitioner

Vs.

1 THE TAHSILDAR
KALLAKURICHI KALLAKURICHI TALUK
KALLAKURICHI DISTRICT.

2 THE SURVEYOR
KALLAKURICHI KALLAKURICHI TALUK
KALLAKURICHI DISTRICT.

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents herein to survey the land and fix boundary stones in respect of Nanja survey Nos.31/1 , 32/12, 32/13A, 32/7A, 32/9B, 33/10A, 33/11, 33/14 34/11 34/12 34/13 34/7 and 34/8 properties situated at Nallathur Village, Kallakurichi Taluk and Kallakurichi District on the basis of the petitioner's application dated 03.07.2025 within the stipulated time fixed by this Honourable Court

For Petitioner : Mr.P.Rajavel

For Respondent : Mr.D.Ravichander
Special Government Pleader



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Order

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Heard Mr.P.Rajavel, learned counsel appearing for the petitioner and Mr.D.Ravichander, learned Special Government Pleader, who takes notice on behalf of the respondents. With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition is filed seeking for the following relief: _

i) For issuance of a mandamus to respondents to survey the land and fix boundary stones in respect of the petitioner's property on the basis of her application dated 03.07.2025 within the stipulated time fixed by this Court.

3. Learned counsel for the petitioner would submit that the subject property is a self-acquired of the petitioner's father, Kuppanmooper and after his demise, the petitioner, as a legal heir, inherited the property and is in possession and enjoyment of the same till date; that the petitioner has already obtained patta in her name and that, since the petitioner's neighbours are causing hindrance in her peaceful possession of the property, she made an application dated 03.07.2025 requesting the respondents to conduct survey and measure and to fix boundary stones in the said property.



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However, as on the date, the said application has not evoked any response,

hence, the present Writ Petition.

4. The learned Special Government Pleader (T) for the respondents has produced a proceedings issued by the Revenue Divisional Officer, Kalakurichi, bearing Na.Ka.No.A9/3802/2025 dated 11.09.2025 addressed to the Government Pleader's Officer, High Court, Chennai, and by referring to the said proceedings, submitted that one Mayakannan has filed an Appeal raising objection to grant of patta in the name of the petitioner and he also filed a suit for partition against the petitioner, claiming right over the property in question and the same is pending on the file of the District Munsif Court, Kallakurichi, and therefore, submitted that based on the outcome of the said Appeal and Civil Suit, the respondents would act accordingly in regard to the application made by the petitioner for land survey demarcation.

5. I have given due considerations to the made by the learned counsel



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for the petitioner and the learned Special Government Pleader and perused the materials, particularly, the proceedings issued by the Revenue Divisional Officer, Kallakurichi dated 11.09.2025.

6. In the case on hand, it appears that the petitioner, K.Pichaiyammal has inherited the subject property after demise of her father, Kuppanmooper which, according to the petitioner is a self-acquired property of her father, Kuppanmooper. However, one Mayakannan, S/o.Rangasamy, is claiming right over the said property by stating that his father Rangasamy Mooper and Kuppanmooper were brothers and they both purchased the property in question, hence, he being the son of said Rangasamy, has equal right over the property in question. Therefore, the said Mayakannan, filed an Appeal before the District Revenue Officer, Kallakurichi, for cancellation of patta granted in the name of the petitioner. Apart from filing such Appeal, the said Mayakannan also filed a Suit for Partition against the petitioner and the same is pending before the District Munsif Court, Kallakurichi.

6.1 Now, citing such pendency of Appeal and Civil Suit, the



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respondents has kept the application made by the petitioner dated 03.07.2025

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seeking for survey of the property by stating that based on the outcome of the Appeal and Suit for partition, the petitioner's application dated 03.07.2025 would be considered.

6.2 Be that as it may, irrespective of whether the Appeal seeking for cancellation of patta issued in the name of the petitioner is pending and the Suit for Partition of the subject property initiated by the said Mayakannan is pending or not, there is no impediment for the revenue officials in surveying the properties, inasmuch as, by conducting survey in the subject property, only boundary stones would be laid and the subject property would be demarcated by metes and bounds and by doing so, neither of the parties, (viz., petitioner as well as Mayakannan) is going to be affected, in fact by doing so, both the parties would be benefited, inasmuch as, the rights over the property in question is going to be decided equally. Further, by merely acting upon the petitioner's request and fixing the boundaries stones in the property, will not stand in the way of deciding the suit for partition.

6.3 In such view of the matter, this Court is inclined to pass/issue the



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following orders/directions:-

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i) The respondents are directed to consider the applications made by the petitioner dated 03.07.2025 and take suitable steps for conducting a survey in the petitioner's property and demarcate the same by metes and bounds after giving notice to any other interested parties and complete such exercise within a period of four weeks from the date of receipt of a copy of this order.

ii) It is needless to say, in the event, any obstruction is being caused by any third parties, the respondents are at liberty to seek the assistance of the Police Officials, in which case, the concerned Jurisdictional Police is directed to render all kinds of assistance, as required, by the Revenue Officials for demarcation of the subject property.

7. With the above direction, the Writ Petition is disposed of. No costs.

11.09.2025

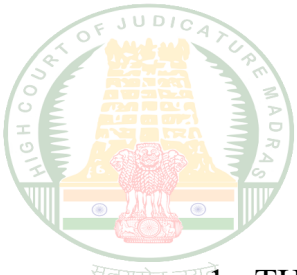
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Index : yes/no

Neutral Citation : yes/no

To

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Krishnan Ramasamy,J.,

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