



WP.No.32348 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

WP.No.32348 of 2025

Subramani Gounder

.... Petitioner

Vs

1.The District Collector,
District Collector Office,
Namakkal District.

2.The District Revenue Officer,
District Collector Office,
Namakkal District.

3.The Revenue Divisional Officer,
Tiruchengode Taluk,
Namakkal District.

4.The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

5.The Taluk Deputy Inspector of Survey,
Tiruchengode Taluk,
Namakkal District.

6.The Village Administrative Officer,
Kottapalaiyam Village,
Tiruchangode Taluk,
Namakkal District.

7.Saraswathi

.... Respondents

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Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records to quash the impugned report submitted by the fourth respondent in his proceedings Muu.Mu.2208/2023/A4, dated 02.11.2023 as null and void and to direct the fourth respondent to be conduct a fresh survey over petitioner property in S.F.No.88/3 along with the property of seventh respondent herein in S.F.No.88/1 and 88/2 situated in Kottapalayam Village, Tiruchengodu Taluk.

For Petitioner : Mr.R.Rajaramani
For R1 to R6 : Mr.D.Ravichander
Special Government Pleader
For R7 : Mrs.D.Chitra Maragatham

ORDER

This Writ Petition has been filed challenging the order dated 02.11.2023 passed by the fourth respondent, thereby accepting the report of compliance as directed by this Court in W.P.No.11524 of 2023.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.The petitioner purchased the property comprised in Survey No.88/3 by a registered sale deed dated 28.06.2004 to an extent of one cent. While

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being so, the seventh respondent attempted to fence on her property comprised in Survey No.88/3A and 88/3B situated at Kottapalaym Village, Tiruchengode Taluk, Namakkal District. Therefore, the petitioner filed a suit in O.S.No.198 of 2023 on the file of the District Munsif Court, Tiruchengode, for declaration and permanent injunction.

4.Pending suit, the petitioner filed an application for appointment of an Advocate Commissioner to inspect and measure the property with the assistance of a qualified surveyor. However, the said application was dismissed on the ground that the subject property had already been surveyed, pursuant to the order passed by this Court in W.P.No.11524 of 2023 dated 17.04.2023.

5.The seventh respondent filed a writ petition in W.P.No.11524 of 2023 seeking a direction to survey the property comprised in Survey Nos.88/3A and 88/3B situated at Kottapalaym Village, Tiruchengode Taluk, Namakkal District. Accordingly, the property was surveyed and a report was submitted by the fourth respondent.



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6.The grievance of the petitioner is that the survey report was not furnished to the petitioner, who is being the owner of the property comprised in Survey No.88/3 to an extent of one cent. That apart, the entire property was not completely surveyed. In fact, the application filed by the petitioner was dismissed by the Civil Court on the ground that the subject property was already surveyed as directed by this Court. However, the survey report was not served with to the petitioner.

7.In view of the above, this Court finds no infirmity or illegality in the report submitted by the fourth respondent. Thus, the writ petition lacks merits and is liable to be dismissed. However, the fourth respondent is directed to serve the survey report to the petitioner forthwith.

8.In the result, this Writ Petition stands dismissed. There shall be no order as to costs.

10.10.2025

Neutral citation :Yes/No

Index:Yes/No

Speaking/Non speaking

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To

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G.K.ILANTHIRAIYAN, J.

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