



W.P.No.33628 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM:

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

W.P.No.33628 of 2025

Chinnakesavan

... Petitioner

-Vs-

1. The Tahsildar,
Mettur Taluk,
Salem District.

2. The Inspector of Police,
Kolathur Police Station,
Mettur Taluk,
Salem District.

3. Manivannan

4. Rani

5. Sekar

6. Gomathi

7. Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to survey and point out the field boundaries of the petitioner's property comprised in Old Survey No.170 and New Survey No.170/2 at Kannamoochi village to an extent of 3.14.50 hectares by fixing stones with police aid of the second respondent at the time of survey and setting up the fencing to the petitioner's aforesaid property in pursuance of the



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petitioner's online application dated 05.05.2025 and representation dated 04.07.2025.

For Petitioner : Mr.C.Deepak Kumar
For R1 : Mr.D.Ravichander
Special Government Pleader
For R2 : Mr.L.Baskaran
Government Advocate (Crl.side)
For R3 to R7 : Mr.R.Thirumoorthy

ORDER

This writ petition has been filed for direction directing the first respondent to survey and point out the field boundaries of the petitioner's property comprised in Old Survey No.170 and New Survey No.170/2 at Kannamoochi village to an extent of 3.14.50 hectares by fixing stones with police aid.

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

3. The petitioner had purchased the subject property by the registered sale deed vide Document No.128 of 1997. On the strength of the sale deed, the petitioner was also issued patta. In order to fix the boundary stones, the petitioner submitted an application seeking survey



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with requisite fees. However, it was not considered. Hence, this writ petition.

4. On instructions, the learned Special Government Pleader appearing for the first respondent submitted that in respect of the very same property, the petitioner had filed a suit in O.S.No.108 of 2025, on the file of the District Munsif Court, Mettur, Salem District for declaration and injunction and it is pending. Further, in the said suit, an Advocate Commissioner was appointed and he submitted a report. Aggrieved by the same, the petitioner also preferred a civil revision petition before this Court and it is pending. Further, there is a pathway in the subject land which is used by the general public. Therefore, the general public are objecting to survey the subject land. In fact, in the said suit, the respondents 3 to 7 herein filed an interim application as against the petitioner in I.A.No.02 of 2025 in O.S.No.108 of 2025 claiming that in the patta land, there is a “poosthithi pathai” (car tract) with a width of 8 ft and to the length of 70 mts and sought for injunction not to interfere with the said pathway used by the general public and it is pending.



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5. In view of the above, the application submitted by the petitioner seeking to survey the subject property cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. If the petitioner succeeds before the Civil Court, he can very well approach the respondents 1 and 2 for conducting survey and for fixing the boundary stones.

6. Accordingly, this writ petition stands dismissed. No costs.

13.10.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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To

1. The Tahsildar,
Mettur Taluk,
Salem District.
2. The Inspector of Police,
Kolathur Police Station,
Mettur Taluk,
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