



WEB COPY



W.P.No.39211 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

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

W.P.No.39211 of 2025 and
WMP.No.44012 of 2025

J.Parthiban

... Petitioner

Vs.

1.TAHSILDAR-CUM CHAIRMAN,
ADMINISTRATIVE ADVISORY COMMITTEE,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
TALUK OFFICE, OLUGARET, PUDUCHERRY 605 009

2.THE COMMISSIONER,
OULGARET MUNICIPALITY,
OULGARET, PUDUCHERRY-605 009

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorarified Mandamus to call for the records
of the first respondent with No.6368/TOO/2024 dated 16.12.2024 and to
quash the conclusion made by the first respondent in respect of the
property of the petitioner with R.S.No.27/3 measuring 1647/sq.ft and
consequently to direct the first respondent to survey the property
belonging to the petitioner with R.S.No.27/3 vide sale deed
1/6



W.P.No.39211 of 2025

No.1092/1985 dated 17.05.1985 and to demarcate the boundaries of the property as per the schedule mentioned in the sale deed and in the FMB copy.

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.V.Vasanthakumar,
Additional Government Pleader(Pondy)

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 16.12.2024 thereby came to conclusion in respect of the property comprised in RS.No.27/3 measuring to an extent of 1647 sq.ft. and the petitioner constructed RCC house in RS.No.27/3 part, 26/1 part and 27/2 part to an extent of 2 kuzhi, 10 ³/₄ veesam or 1539 sq.ft. instead of 1647 sq.ft.

2. The petitioner owned property to an extent of 1122 sq.ft. out of 1647 sq.ft. by way of settlement deed executed by his father dated 20.04.2009. His father purchased the property to an extent of 1647 sq.ft. from one, Thiruvengadam. The remaining land to an extent of 525 sq.ft. was settled in favour of the petitioner's sister by way of settlement deed dated 13.09.2006. The petitioner had constructed house in the subject

2/6



W.P.No.39211 of 2025

property. While being so, the general public submitted representation alleging that the petitioner encroached pathway situated in the land comprised in survey RS.No.27/3 and 26/1 of Thattanchavady Village, Oulgaret Taluk, Pondicherry. On enquiry, the second respondent found that the petitioner constructed RCC house in the land comprised in RS.No.27/3 part, 26/1 part and 27/2 part to an extent of 1539 sq.ft. After completion of enquiry, it was concluded that the purchasers cum residents in plot Nos.4 to 7 and 8 to 10 comprised in RS.No.27/3 part, 26/1 part, situated at Thattanchavadi Village have not followed the dimensions mentioned in the layout plan during the purchase of their respective properties. The measurement was mentioned in kuzhi and veesams. However, beyond the measurement as mentioned in their respective documents, they have taken possession to a larger extent. Accordingly, the petitioner had encroached some of the land owned by the said Venkatesan in RS.No.27/2 part.

3. However, on instruction, the learned Additional Government Pleader appearing for the respondents submitted that now the survey is under process.



W.P.No.39211 of 2025

4. Therefore, on the request made by the petitioner, the

Directorate of Survey, Settlement and Land Records, Puducherry is directed to survey the land owned by the respective owners in the land comprised in RS.No.27/3 part, 26/1 part and 27/2 part of Thattanchavady Village, Oulgaret Taluk, Pondicherry and to complete the said process and to submit report within a period of two weeks from the date of receipt of this order. Thereafter, as per the survey report, the respondents are directed to take appropriate action.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

22.10.2025

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
lok



WEB COPY



W.P.No.39211 of 2025

To

1.TAHSILDAR-CUM CHAIRMAN,
ADMINISTRATIVE ADVISORY COMMITTEE,
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
TALUK OFFICE, OULGARET, PUDUCHERRY 605 009

2.THE COMMISSIONER,
OULGARET MUNICIPALITY,
OULGARET, PUDUCHERRY-605 009

3. Directorate of Survey, Settlement and Land Records,
Puducherry



WEB COPY



W.P.No.39211 of 2025

G.K.ILANTHIRAIYAN, J.

lok

W.P.No.39211 of 2025

22.10.2025