



WEB COPY

WP No. 36086 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 36086 of 2025

Ramasamy,
S/o.Subbugounder,
217, West Kattukottai,
Vinaitheerthapuram, Chinnasalem
Taluk And Kallakurichi District.

Petitioner(s)

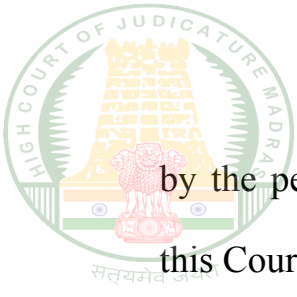
Vs

1. The Thasildar,
Chinnasalem, Kallakurichi District.

2.The Surveyor,
Chinnasalem, Kallakurichi District.

Respondent(s)

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the respondents herein to survey the property comprised in S.F.No.86/2C at Mathur village, Chinnasalem Taluk, Kallakurichi District by considering the application made



by the petitioner herein dated 12.8.2025 within a reasonable time as fixed by this Court.

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For Petitioner(s): Mr.R.Nalliyappan

For Respondent: Mr.P.Ganesan
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking to direct the respondents herein to survey the property comprised in S.F.No.86/2C at Mathur village, Chinnsalem Taluk, Kallakurichi District by considering the application made by the petitioner herein dated 12.8.2025.

2.Mr.P.Ganesan, learned Government Advocate, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3.Learned counsel for the petitioner would submit that though the petitioner made an application dated 12.08.2025 before the respondents, to

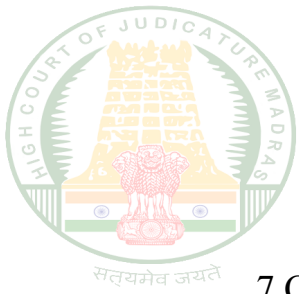


survey the petitioner's property and demarcate the boundaries, the same has not been considered by the respondents, so far. Hence, he prayed to direct the respondents to consider and dispose of petitioner's application dated 12.08.2025.

4.Learned Government Advocate appearing for the respondents would submit that when the Officials of the respondent attempted to conduct survey considering the application of the petitioner, the third parties obstructed the same on the ground there is a dispute in the subject property and the Civil Suit in O.S.No.147 of 2025 is pending. Hence, the respondents could not conduct the survey.

5.In reply, learned counsel for the petitioner would submit that the suit has been filed only for partition and conducting filed measurement in the subject property is not going to affect the rights of parties.

6.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.



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7.Considering the submission made by both the parties this Court is of the view that, as rightly contended by the learned counsel for the petitioner, the suit in O.S.No.147 of 2025 has been filed for partition and rights of the parties will be decided by the Civil Court and hence, measuring the property pursuant to the petitioner's application will not cause prejudice to any of the parties. However, the respondents apprehend that based on the measurement, the petitioner may claim for issuance of patta. It is made clear that patta cannot be claimed based on the surveyor's measurement without any title and that has to be decided independently in accordance with law.

8.Thus, in view of the limited prayer sought for in this Writ Petition, without going into the merits of the case, this Court directs the respondents to consider the application of the petitioner dated 12.08.2025 and complete the survey and demarcate the boundaries after issuing due notice to the concerned parties, if any. It is needless to state that, if there is any obstruction, the respondents shall complete the process with the aid of the Police. Such



exercise shall be done by the respondents within a period of four weeks from today.

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9. With the above said direction, this Writ Petition is disposed of. There shall be no order as to costs.

10. Post the matter “For Compliance” on 17.11.2025.

23-09-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Thasildar,
Chinnasalem, Kallakurichi District.

2. The Surveyor,
Chinnasalem, Kallakurichi District.



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KRISHNAN RAMASAMY J.

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