



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 41019 of 2025

AND

WMP NO. 45972 OF 2025

1. K.Manikandan
S/o. Kannan Amman Kovil Street,
Sankarapuram Town,
Sankarapuram Taluk
Kallakurichi District

Petitioner(s)

Vs

1. The District Collector
Kallakurichi
Kallakurichi District

2.The Revenue Divisional Officer
Office Of The RDO, Kallakurichi

3.The Tahsildar
Office Of Tahsildar
Sankarapuram Taluk
Kallakurichi District

4.The Head Surveyor
Sankarapuram Taluk
Kallakurichi District

5.The Village Administrative
Officer
Sankarapuram Village And Taluk
Kallakurichi District

Respondent(s)

**PRAYER**

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records relating to the impugned message communication dated 26.08.2025 and quash the same as illegal and consequently direct the 3rd and 4th respondents to conduct proper survey by fixing boundary stones and issue patta in the name of the petitioners father for the property in Ayan Punja Survey No. 100/5 to an extent of about 6 1/2 cents in Alagapuram @ Sankarapuram village and Taluk, Kallakurichi district by disposing of the petitioners online application dated 15.07.2025 within a time to be stipulated by this Court and pass orders.

For Petitioner(s): Mr. S.Velmurugan
For Mr.S.Rajesh
Respondent(s): Government Advocate for
R1 to R5

ORDER

This writ petition has been filed challenging the SMS rejection order passed by the 3rd respondent dated 26.08.2025 and for a consequential direction to the respondents 3 and 4 to conduct survey in the subject property and lay the boundary stones and issue patta in the name of the petitioner's father with respect to the subject property based on the on-line application submitted by the petitioner on 15.07.2025.



2. Heard Mr. S.Velmurugan, learned counsel for the petitioner and Mr.S.Rajesh, learned Government Advocate for respondents 1 to 5.

3. The case of the petitioner is that the petitioner's father purchased the subject property by virtue of a registered Sale deed dated 27.11.1989. The petitioner had submitted an online application on 15.07.2025 seeking for survey of the property and for transfer of patta in his name.

4. The grievance of the petitioner is that an on-line rejection order through SMS was received by the petitioner from the 3rd respondent without assigning any reasons. It is under these circumstances, the present writ petition has been filed before this Court.

5. In the considered view of this Court, if the 3rd respondent wanted to get any clarity from the petitioner, the petitioner should have been called for an enquiry and thereafter, a reasoned order should have been passed. However, the petitioner has been informed through SMS stating that there are some boundary issues raised by



the adjacent owners and therefore, the survey could not be conducted. This procedure adopted by the 3rd respondent is in violation of principles of natural justice.

6. In the light of the above discussion, the on-line SMS rejection order dated 26.08.2025 is hereby set-aside. The matter is remanded back to the file of the respondents 3 and 4 and the respondents 3 and 4 are directed to conduct an enquiry after affording opportunity to the petitioner and other interested persons and deal with the application submitted by the petitioner for survey and issuance of patta and a final decision shall be taken within a period of eight weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is allowed with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

04-11-2025

rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

WEB C

1.The District Collector
Kallakurichi Kallakurichi
District

2.The Revenue Divisional Officer
Office Of The Rdo Kallakurichi

3.The Tahsildar
Office Of Tahsildar
Sankarapuram Taluk
Kallakurichi District

4.The Head Surveyor
Sankarapuram Taluk
Kallakurichi District

5.The Village Administrative
Officer
Sankarapuram Village And Taluk
Kallakurichi District



WEB COPY

WP No. 41019 of 2025



N.ANAND VENKATESH J.
rka

WP No. 41019 of
2025
WMP NO. 45972 OF
2025

04-11-2025