



W.P.No.41034 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.41034 of 2025
and WMP.No.45992 of 2025

Thambidurai

.... Petitioner

Vs

1.The District Collector
Office of the District Collector
Salem District.

2.The Tahsildar
Office of the Tahsildar
Mettur Taluk
Salem District.

3.L.Selvaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the second respondent Tahsildar to take into consideration the petitioner's objection / representation dated 25.10.2025 submitted in pursuance to the notice dated 18.10.2025 issued by the second respondent and thereby for a consequential direction directing the second respondent Tahsildar while surveying and demarcating the third respondent's



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land comprised in Survey No.17/4, 17/9 at Kuttapatti Village, Mettur Taluk, Salem District, to fix the boundaries not to include the adjoining 20 feet common cart track-cum-pathway which is the ingress and egress for the petitioner to reach his property adjacent thereto and pass orders.

For Petitioner : Dr.R.Gouri

For Respondent : Mr.D.Ravichander
Special Government Pleader [R1 & R2]

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the second respondent to consider the objections / representation made by the petitioner on 25.10.2025, wherein the petitioner has objected to include the 20 feet common cart track-cum-pathway during the process of survey, which according to the petitioner is the only ingress and egress to reach his property.

2, Heard Dr.R.Gouri, learned counsel appearing for the petitioner and Mr.D.Ravichander, learned Special Government Pleader appearing for the respondents 1 and 2.



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3. It is seen from the records that, survey in the subject land was conducted based on the application submitted by the third respondent and also pursuant to the order passed by this Court in W.P.No.30603 of 2025 dated 13.08.2025. Even when this order was passed by this Court on 13.08.2025, this Court made it very clear in Paragraph 9(iii) that the Tahsildar, Mettur Taluk, shall issue notice to all the private respondents including the writ petitioner therein and their objections must be considered .

4. The specific case of the petitioner is that, objections have been given by him stating that at the time of survey, it should only confine to the property belonging to the third respondent and the 20 feet common cart track cum pathway should not be included. The apprehension of the petitioner is that this objection will not be considered by the second respondent during the survey and that access to the petitioner's property will also be prevented. It is under these circumstances, the present writ petition came to be filed.

5. Taking into consideration the facts and circumstances of the case and considering the earlier order passed by this Court in W.P.No.30603 of 2025



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dated 13.08.2025, and also considering the fact that there is already a suit pending between the parties with respect to 20 feet common pathway, the second respondent has to necessarily deal with the objections given by the petitioner on 25.10.2025, at the time of survey and take a decision regarding the 20 feet common cart track-cum-pathway. It is clarified that the earlier order passed by this Court in W.P.No.30603 of 2025 dated 13.08.2025, did not give a blanket direction to the second respondent to disregard the objections made by the interested parties. This should be borne in mind by the second respondent while conducting the survey.

6. This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

29.10.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

Note : Issue order copy today (29.10.2025)



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To:

WEB COPY

- 1.The District Collector
Office of the District Collector
Salem District.
- 2.The Tahsildar
Office of the Tahsildar
Mettur Taluk
Salem District.



WEB COPY



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N. ANAND VENKATESH., J

ds

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