



**W.P(MD)No.6561 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 12.03.2025**

**CORAM :**

**THE HON'BLE MR.JUSTICE P.B.BALAJI**

**W.P(MD)No.6561 of 2025**

**Gurulakshmi**

**... Petitioner**

**Vs**

1. The District Collector,  
Tenkasi,  
Tenkasi District.

2. The Tahsildar,  
Office of the Taluk Office,  
Sivagiri,  
Tenkasi District.

3. The Head Surveyor,  
Taluk Office,  
Sivagiri,  
Tenkasi District.

4. The Inspector of Police,  
Sivagiri Police Station,  
Tenkasi District.

5. Elayaperumal

6. Annamalaisamy

**... Respondents**



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents No. 2 and 3 to survey and demarcate the petitioner landed properties Survey No. 454/1B2 to an extent of 1 acre and situated Vishwanathaperi Village Part 2, Sivagiri Taluk, Tenkasi District on the basis of petitioner representation dated 02.12.2024 after given necessary opportunity to the parties concerned within a time frame fixed by this Court.

For Petitioner : Mr.B.Arun,

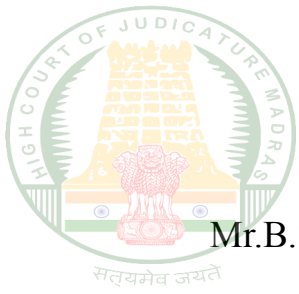
For R1 to R3 : Mr.B.Saravanan  
Additional Government Pleader

For R4 : Mr.S.Prakash  
Government Advocate (Crl.Side)

### **ORDER**

The petitioner has sought for issuance of writ of Mandamus to direct the respondents 2 and 3 to survey and demarcate the petitioner's property in furtherance of her representation dated 02.12.2024.

2.Considering the limited relief sought for by the petitioner, with the consent of the learned Counsel for the petitioner and



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Mr.B.Saravanan, learned Additional Government Pleader for the respondents 1 to 3, this writ petition is taken for final disposal.

3.It is seen that the petitioner earlier approached this court in W.P(MD) No.28005 of 2024 and sought for the very same relief of survey and demarcation of the properties. This Court, by order, dated 25.11.2024, dismissed the writ petition with liberty to give a representation to the respondents, giving reasonable time for compliance and there being any failure even thereafter, then approach this Court by way of writ of Mandamus. Pursuant to the order in the said writ petition, the petitioner has made a representation on 02.12.2024.

4.According to the petitioner, despite three months having lapsed, no action has been taken on the petitioner's representation and hence taking advantage of the liberty granted by this Court, also relying on the mutation of revenue records in the name of the petitioner herself, the petitioner has now come forward seeking the relief writ of mandamus for a direction to survey and demarcate her properties based on her representation, dated 02.12.2024.



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5.Mr.B.Saravanan, learned Additional Government Pleader on instructions would submit that even as early as on 29.11.2024, the Revenue Divisional Officer has passed an order of cancelling all the subdivisions and also the patta in the name of the petitioner's vendor. Therefore, the learned Additional Government Pleader would submit that the petitioner may not be entitled to seek for survey in the light of the order of the Revenue Divisional Officer.

6.The learned counsel for the petitioner would further contend that the patta has already been mutated in the petitioner's name and she has not been put on any notice about any proceedings for cancellation of the subdivision and he would therefore contend that as long as the patta remains on file, the petitioner cannot be deprived of survey to be conducted.

7.Considering the above, without going into the merits or entitlement to the petitioner to have a survey done as requested by his representation, dated 02.12.2024, this writ petition is disposed of with a direction to the second respondent to conduct an enquiry first, after issuing notice and giving an opportunity to the petitioner to submit all



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relevant documents and also after considering the effect of the subsequent order passed by the Revenue Divisional Officer, dated 29.11.2024, the second respondent shall decide the entitlement of the petitioner for survey to be conducted. If the second respondent finds that the petitioner's application can be processed, then the second respondent, with the help of the third respondent shall proceed to conduct a survey based on the petitioner's representation, dated 02.12.2024. In the event of the second respondent finding that the petitioner is not entitled to survey based on the available documentary evidence produced by the petitioner and also the proceedings of the Revenue Divisional Officer, dated 29.11.2024, then it shall be open to the petitioner to challenge the orders of the Revenue Divisional Officer and also any further orders that may be passed by the second respondent. The enquiry shall be conducted within a period of eight weeks, from the date of receipt of a copy of this order.

No costs.

**12.03.2025**

Internet :Yes  
Index :Yes/No  
NCC :Yes/No

LR



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- To
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P.B.BALAJI, J.

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