



W.A.(MD)No.1882 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

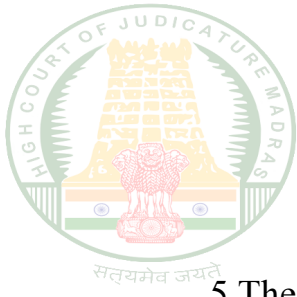
**W.A.(MD)No.1882 of 2025
and
C.M.P.(MD)No.10728 of 2025**

Kazhuvathevar

... Appellant

Vs.

- 1.The Thasildar,
Thirumangalam Taluk,
Thirumangalam,
Madurai - 625706.
- 2.The Taluk Head Surveyor,
Thirumangalam Taluk,
Thirumangalam,
Madurai - 625706.
- 3.The Small Circle Surveyor,
A-Kokkulam,
Thirumangalam,
Madurai - 625706.
- 4.The Village Administrative Officer,
Kunnampatti Village,
Thirumangalam,
Madurai - 625706.



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5.The Inspector of Police,
Austinpatti Police Station,
Madurai District.

6.Muthumani

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.30020 of 2024 dated 13.12.2024 on the file of this Court.

For Appellant : Mr.A.Srinivasan

For Respondents : Mr.N.Ramesh Arumugam,
Government Advocate for R1 to R4.
Mr.T.Senthilkumar,
Addl. Public Prosecutor for R5.
Mr.A.Jeyaram for R6.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The appellant feels aggrieved by the order dated 13.12.2024 made in W.P.(MD)No.30020 of 2024 filed by the sixth respondent herein.



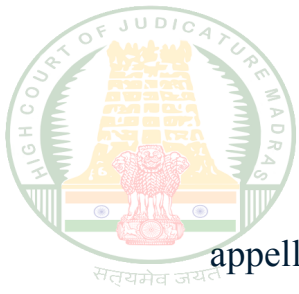
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3.All that the sixth respondent wanted was to conduct survey of his land. The learned Single Judge vide order dated 13.12.2024 disposed of the writ petition in the following terms:-

“8.On considering the fact that survey was conducted and only survey stones were not fixed due to the objection raised by the sixth respondent, I am inclined to issue a direction. Accordingly, the third respondent is directed to fix the stones in Survey No.44/18 admeasuring 0.49.00 Hectares in Kunnampatti Village, Thirumangalam Taluk, Madurai District, as per the survey conducted on 14.11.2024 with the aid of the fifth respondent within a period of four weeks from the date of receipt of a copy of this order.”

4.The grievance of the appellant is two fold: (a) He was not put on notice before the writ petition was disposed of; (b) In the guise of surveying the writ petitioner's land, the appellant's land is sought to encroached upon.

5.We are of the view that the grievances of the appellant can be fully met, if a comprehensive survey is conducted in respect of the



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appellant's land as well as the writ petitioner's land. Survey shall be conducted on 19.08.2025 from 10.00 am onwards. Neither the writ petitioner nor the appellant will receive any further notice. They have to be necessarily present along with relevant records. If the writ petitioner wants to conduct GPS survey, it is for the writ petitioner to bear the cost of the same.

6.This writ appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
21.07.2025

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

To:

- 1.The Thasildar,
Thirumangalam Taluk,
Thirumangalam,
Madurai - 625706.
- 2.The Taluk Head Surveyor,
Thirumangalam Taluk,

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- Thirumangalam,
Madurai - 625706.
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