



W.P(MD)No.11506 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.11506 of 2023

R.Sureshkumar

... Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Commissioner,
Karaikudi Greater Municipality,
Karaikudi,
Sivagangai District.

3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents herein to restore the petitioner property to its original position in Town S.No.532 in Patta No.1200 to the extent of 7.73 Cents in Ward No.10, Block-7 towards north of 5 Cents situated at Senjai, Karaikudi Taluk, Sivagangai District, within a stipulated



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time that may be fixed by this Court.

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For Petitioner : Mr.P.Saravanakumar

For Respondent : Mr.R.Ragavendran (for R1, 3 & 4)
Government Advocate
Mr.E.P.Venkateshwar (for R2)

ORDER

This writ petition is filed for Writ of Mandamus, to direct the respondents herein to restore the petitioner property to its original position in Town S.No.532 in Patta No.1200 to the extent of 7.73 Cents in Ward No.10, Block-7 towards north of 5 Cents situated at Senjai, Karaikudi Taluk, Sivagangai District.

2.The learned Counsel appearing for the petitioner submitted that the second respondent has laid a road by encroaching the petitioner's patta land.

3. However, the learned Counsel appearing for the second respondent submitted that the above said road belonging to the municipality.

4.After hearing the rival submissions, this Court is of the considered opinion that the identification of the property is in dispute. Therefore, the survey is necessary. The fourth respondent is directed to issue notice to the petitioner as well as to the second respondent to conduct a survey in the presence of the parties



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and submit a report to the third respondent/Revenue Divisional Officer. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. The third respondent/Revenue Divisional Officer, shall pass appropriate orders in accordance with law after issuing notice to the petitioner and the second respondent, within a period of four weeks thereafter. Based on the order of the third respondent/Revenue Divisional Officer, the parties shall adhere to the rights of the parties.

5. With the above direction, this writ petition stands disposed of. No Costs.

07.07.2025

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

Vsg



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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.11506 of 2023**

DATED : 07.07.2025