



W.P.(MD) No.17391 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.17391 of 2025

K.S.Anwar ... Petitioner

Vs

1 The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Kodaikanal,
Dindigul District.

2 The Thasildar,
Kodaikanal Taluk,
Dindigul District.

3 R.Nagarajan ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus to call for the records relating to impugned memo issued by the office of respondent No.2 through proceedings in Na.Ka.No.1075/2025/A1, dated 03.06.2025, and to quash the same and further direct the respondent No.1 to conduct the enquiry in the light of order passed by this Honble Court in W.P.(MD)No.30285 of 2024 dated 27.03.2025.



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For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondents 1 & 2 : Mrs.K.Malathi,
Addl. Govt. Pleader.

For Respondent 3 : Mr.V.Karthik Raja,
for M/s.Ajmal Associates.

ORDER

The Writ Petition is filed, challenging the survey notice issued by the second respondent for conducting survey of the land situate in Survey Nos.1693/29, 30, 31, 32 and 34 in Vilpatti Village, Kodaikanal Taluk, Dindigul District.

2. Learned counsel for the petitioner challenged the impugned notice mainly on the ground that in the earlier writ petition, this Court directed the second respondent to conduct physical inspection of the subject property and without complying with the earlier direction, the second respondent issued the impugned notice.

3. It is seen from the typed set of papers that the third respondent herein filed W.P.(MD) No.30285 of 2024, challenging the order passed by the second respondent, negating his request to survey the property situate in Survey Nos.1693/30 and 1693/31 in Vilpatti Village. When the writ petition



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was heard, it was represented on behalf of the Government that there were several instances of revenue records being created in respect of non-existing lands and, therefore, necessary enquiry shall be conducted before processing the application submitted by the third respondent for survey of the property. Regarding the representation made on behalf of the third respondent, this Court directed the first respondent to consider the third respondent's application for survey based on revenue records and carry out the survey.

4. It is the specific case of the petitioner that pursuant to the direction issued by this Court, the first respondent has not conducted any enquiry and, therefore, the impugned notice issued by the second respondent, without complying with the earlier direction, is untenable.

5. Mrs.K.Malathi, Additional Government Pleader, who takes notice for the official respondents, would submit that pursuant to the direction issued in the earlier writ petition, the first respondent conducted an enquiry and passed orders in his proceedings in Na.Ka.No.1075/2025/A1, dated 03.06.2025. She also produced the order passed by the first respondent in the above mentioned proceedings.

6. When the very existence of the survey numbers are in dispute, the property can be identified only by conducting survey. In the case on hand, pursuant to the direction issued by this Court in the earlier writ petition, the



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first respondent – Revenue Divisional Officer considered the application submitted by the third respondent and directed the Tahsildar to survey the property, fix the boundaries and file a report. It is on the said direction by the first respondent, the impugned notice has been issued by the second respondent. Admittedly, the impugned notice was also served on the petitioner. It is open to him to be present at the time of survey by the second respondent and raise his objections. Therefore, the submission made by the learned counsel for the petitioner that the impugned notice was issued without complying with the earlier order is not acceptable.

7. In these circumstances, there is nothing to quash the impugned notice. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected W.M.P.(MD) No.13252 of 2025 is closed.

26.06.2025

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

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S.SOUNTHAR, J.

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