



W.P(MD)NO.19061 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.19061 of 2025

Ponnuthai

... Petitioner

.Vs.

1.The Special Tahsildar,
By pass Road,
NH7 and 209,
Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

3.Ramasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent by his proceeding in N.aKa.No.3615/2022/F,dated 12.6.2025 and quash the same as illegal and consequently direct the second respondent to rectify the defects in the FMB sketch relating to S.No.62/7A and 62/7B in accordance with the registered sale deed, dated 27.10.2003 in Document No.2012/2003, the subsequent patta in Patta No.2771 and the entries in A Register for S.No.62/7B situated at



W.P(MD)NO.19061 of 2025

Palakkanuthu Village, Dindigul West Taluk, Dindigul District.

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For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.A.Baskaran
1 and 2 Addl.Govt. Pleader

ORDER

The Writ Petition is filed challenging the order passed by the second respondent directing the Petitioner to approach the Civil Court to establish his right over 12 cents of land purchased by the Petitioner in S.No.62/7.

2.Mr.A.Baskaran, learned Additional Government Pleader takes notice for the respondents 1 and 2. By consent of both parties,the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is the case of the Petitioner that he purchased 12 cents of land out of 2 acres and 30 cents in S.No.62/7 situated at Palakkanuthu Village. Dindigul West Taluk, Dindugul District. After subdivision, the above said survey number was sub-divided as S.Nos.62/7A and 62/7B. 12 cents of land purchased by the Petitioner was sub-divided as S.No.62/7B and patta was also issued in the name of Petitioner in Patta No.2771. 'A' Register got

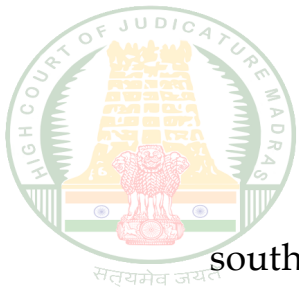


W.P(MD)NO.19061 of 2025

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mutated in the name of Petitioner. According to the Petitioner, the Petitioner's vendor retained four cents of land on the southern side of the property purchased by the Petitioner. At the time of preparing FMB sketch, the respondents failed to mention the land retained by the Petitioner's vendor. Therefore the Petitioner find difficulty in getting compensation in respect of the portion of his land acquired for the expansion of National Highways. Therefore the Petitioner filed a Writ Petition in W.P(MD)No.27089 of 2024 seeking a direction to the respondents to rectify the FMB sketch pertains to S.N.62/7. The Writ Petition was disposed of by directing the respondent to survey the property after issuing notice to the Petitioner and third respondent. Pursuant to the direction issued by this Court in the above mentioned Writ Petition, the impugned order was passed by the Tahsildar stating that the Petitioner as well as the third respondent are claiming right over the disputed portion in S.No.62/7 and hence, relegated the parties to approach the Civil Court.

4.A perusal of the title document of the Petitioner would indicate that the southern boundary of the property purchased by the Petitioner was shown as Dindigul Main Road and the property retained by the Petitioner's vendor. It means the Petitioner's vendor retained some property in one corner of the



W.P(MD)NO.19061 of 2025

southern side. However from the description found in the title document of the Petitioner and in the absence of linear measurements of the property purchased by the Petitioner, we cannot come to a conclusion what was the extent retained by the Petitioner's vendor. Therefore, the second respondent in the impugned order rightly pointed out the absence of linear measurement in the title document of the Petitioner and relegated the parties to approach the civil Court to work out their remedy. I do not find any error in the impugned order passed by the first respondent.

5. Accordingly, the Writ Petition stands dismissed, with liberty to the Petitioner to work out his remedy before the competent civil Court, in the manner known to law. If any such civil suit is filed by the Petitioner to work out his remedy, the same shall be disposed of on its own merits, without being influenced by any of the observations made in this Writ Petition. No costs.

15.07.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No



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To

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NH7 and 209,
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2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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W.P(MD)NO.19061 of 2025

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