



W.P.(MD) No.21122 of 2025

WEB COPY

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

**DATED : 04.08.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

W.P.(MD) No.21122 of 2025

Sivakumar

... Petitioner

Vs.

1.The Tahsildar,  
Kodaikanal Taluk Office,  
Kodaikanal,  
Dindigul District.

2.The Taluk Surveyor,  
Office at Taluk Office,  
Kodaikanal Taluk Office,  
Kodaikanal,  
Dindigul District.

3.Kandasamy

4.Visagamoorthy

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 herein to carryout appropriate survey and demarcate the boundaries of the petitioner's land by fixing survey stones in old S.No.147/1, 146P, 148P and 149P was clubbed together and new survey number assigned as S.No.613/3 of an extent of 53 cents out of total extent of 0.53.00 hectares



W.P.(MD) No.21122 of 2025

(1 acre 31 cents) situated at Thandikudi Village , Kodaikanal Taluk, Dindigul District, based on the survey acknowledgement dated 25.4.2025 issued by the 2nd respondent within a stipulated time as that may be fixed by this Court.

For Petitioner : Mr.S.Veeranasamy

For R1 and R2 : Mr.M.Gangatharan  
Government Advocate

### **ORDER**

The petitioner herein seeks a direction to the respondents 1 and 2 to survey the property situated in old Survey Nos.147/1, 146P, 148P and 149P, New Survey No.613/3, with an extent of 53 cents in Thandikudi Village, Kodaikanal Taluk, Dindigul District, by considering his application dated 25.4.2025.

2.Heard the arguments of Mr.S.Veeranasamy, learned counsel appearing for the petitioner and Mr.M.Gangatharan, learned Government Advocate appearing for the respondents 1 and 2. Since no adverse order is passed against the respondents 3 and 4, notice to them is dispensed with.



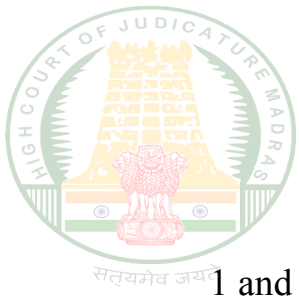
W.P.(MD) No.21122 of 2025

WEB COPY

3.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4.According to the petitioner, the subject property was allotted in favour of the petitioner's grandmother, Pattayammal in a family partition dated 25.06.1974. After death of Pattayammal, the subject property devolved on her legal heirs including the petitioner and private respondents. However, the private respondents filed a civil suit for declaration and injunction, claiming exclusive right over the subject property in O.S.No.213 of 2022 on the file of the Sub Court, Kodaikanal. It is stated that there is no interim order against petitioner by civil Court. The patta for the subject property jointly stands in the name of the petitioner's father, Natarajan and four other family members in Patta No. 2008. The petitioner submitted an application on 25.04.2025 in Application No.2025/0123/13/011658, seeking survey of the subject property. The same has not been considered. Hence, the petitioner has come before this Court.

5.The learned Government Advocate appearing for the respondents



W.P.(MD) No.21122 of 2025

WEB COPY

1 and 2 would submit that the application submitted by the petitioner will be considered in accordance with law.

6. In view of the same, without expressing any opinion on the merits of the matter, the respondents 1 and 2 are directed to consider the application of the petitioner dated 25.04.2025 and pass final orders on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner, private respondents 3 and 4 and other pattadars named in Patta No.2008. It is made clear if private respondents produce any interim order against survey of the property or interim injunction to protect the alleged possession, the parties shall be relegated to work out their remedy before Civil Court. In the absence of any interim order by Civil Court, the request for survey shall be considered on its own merits. Accordingly, this Writ Petition is disposed of. No costs

**04.08.2025**

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



W.P.(MD) No.21122 of 2025

WEB COPY

- To
- 1.The Tahsildar,  
Kodaikanal Taluk Office,  
Kodaikanal,  
Dindigul District.
  - 2.The Taluk Surveyor,  
Office at Taluk Office,  
Kodaikanal Taluk Office,  
Kodaikanal,  
Dindigul District.



WEB COPY



W.P.(MD) No.21122 of 2025

**S.SOUNTHAR,J**

cp

**W.P.(MD)No.21122 of 2025**

Dated: 04.08.2025