



W.P.(MD)No.22265 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :29.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.22265 of 2025

S.Ganapathy

... Petitioner

Vs.

1. The Collector,
Collectorate Office, Madurai.

2. The Tahsildar,
Madurai East Taluk Office, Madurai.

3. The Village Administrative Officer,
Arumbannor 1st Bit Village,
Madurai East Taluk, Madurai.

4. Head Surveyor,
Office of Tahsildhar, Madurai East
Taluk Office, Madurai District.

5. T.Meenalochini
(R5 is suo moto impleaded vide court
order dated 14.10.2025)

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Respondents No. 3 and 4 to conduct a resurvey in the petitioners adjacent land in S.Nos. 95/8 and 97/14, Arumabnoor 1st bit village, Madurai East Taluk, Madurai District by following the due procedure specified under The



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Tamil Nadu Survey and Boundaries Act, 1923 in the light of petitioner representation dated 27.07.2025 .

For Petitioner :Mr.S.Guruprasath

For Respondents :Mr.B.Saravanan
Addl. Government Pleader for R1 to R4
Mr.A.Abdul Rashith for R5

ORDER

A survey had been conducted of the lands owned by the fifth respondent herein in Survey Nos.95/8 and 97/14. On the ground that the petitioner is the owner of Survey Nos.95/6 and 97/16, which are immediately adjoining lands, the petitioner has sought a resurvey on the ground that the fixation of boundaries was incorrect.

2. Upon being impleaded by order dated 14.10.2025, the fifth respondent is represented by counsel. Learned counsel submits that notice was issued to the petitioner and that the petitioner refused to receive such notice. He submits that he has no objection to a resurvey provided the resurvey is conducted in the presence of the fifth respondent.



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3. Learned Additional Government Pleader submits that notice would be issued to the petitioner, the fifth respondent and the owners of other relevant adjacent land and a resurvey would be conducted subject to payment of requisite fees by the petitioner.

4. On examining the FMB sketch relating to Survey No.95, it is clear that the petitioner's land lies to the north of the land of the fifth respondent in the said survey number. Likewise, on examining the FMB sketch for Survey No.97, the petitioner's land lies immediately to the east of the fifth respondent's land. In these circumstances, in order to fix the boundaries accurately, it is appropriate that a survey be carried out of Survey Nos.95/6 and 95/8 and, similarly, of Survey Nos.97/14 and 97/16. It is needless to say that notice should be issued to the petitioner, the fifth respondent and the owners of other adjacent lands before such survey is carried out.

5. Therefore, this writ petition is disposed of on the following terms:

(i) The petitioner shall pay the requisite fees for undertaking resurvey of the lands mentioned above.



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(ii) After issuing notice to the petitioner, the fifth respondent and the owners of relevant adjacent lands, resurvey of lands in Survey Nos. 95/6 and 95/8 and 97/14 and 97/16 shall be carried out between 03.02.2026 and 28.03.2026. There shall be no order as to costs.

29.10.2025

NCC :No
Internet :Yes
Index :No
PKN



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To

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SENTHILKUMAR RAMAMOORTHY, J.

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