



W.P(MD)NO.22640 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.22640 of 2025

and

W.M.P(MD)No.17766 of 2025

1.Muniasamy

2.Muthumalaisamy

3.Challachamy

4.Andichami

... Petitioners

.Vs.

1.The Tahsildar,
Taluk Office,
Sivagangai Taluk,
Sivagangai.

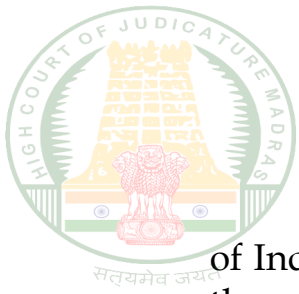
2.The Firka Surveyor,
Taluk Office,
Sivagangai Taluk,
Sivagangai.

3.A.Pechimuthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution

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of India, praying this Court to issue a Writ of Certiorari calling for the records pertaining to the impugned notice issued by the second respondent, dated 26.3.2025 and signed on 11.08.2025 in Fl.No.007658 and quash the same.

For Petitioners : Mr.G.Mohankumar

For Respondents : Mr.M.Gangatharan
1 and 2 Govt.Advocate

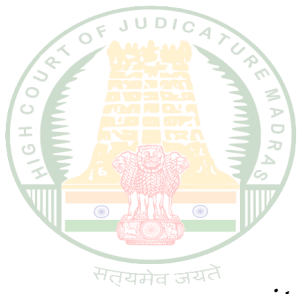
For Respondent-3 : Mr.M.Gurudas

ORDER

The Writ Petition is filed challenging the notice issued by the second respondent for survey of the property in S.No.527/3A situated at Arasanoor Village, Sivagangai District.

2.Mr.M.Gangatharan, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.M.Gurudas, learned counsel takes notice for the third respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The third respondent herein filed a Writ Petition before this Court in W.P(MD)No.11603 of 2025 seeking survey of the subject property. The said Writ Petition was disposed of with certain directions:



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“6.In view of the same, without expressing any opinion on the merits of the matter, this Court is inclined to direct the second respondent to consider the online application of the Petitioner, dated 26.3.2025 and pass final orders on its own merits and in accordance with law, after issuing notice to the Petitioner, neighbouring land owners and other interested parties namely, Muniasamy, Muthumalaisamy, Chellasamy and Andisamy, who are said to have filed impleading applications within a period of twelve(12) weeks from the date of receipt of a copy of this order. Since the second respondent requires the details of the impleading parties to issue notice, the impleading parties are directed to furnish their full details with postal address to the second respondent within one(1) week from today. The second respondent shall complete the enquiry and pass final orders within a period of twelve(12) weeks from the date of receipt of a copy or this order.”

4.The main grievance of the Petitioner is that without issuing notice and without conducting any enquiry, the second respondent issued the impugned notice for survey of the subject property.

5.Mr.M.Gangatharan, learned Government Advocate, who takes notice for the respondents 1 and 2, on instructions, would submit that the respondents 1 and 2 did not conduct any enquiry by issuing notice to the Petitioner and other interested parties, as per the directions issued by this Court in W.P(MD)No.11603 of 2025.



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6.Mr.M.Gurudas, learned counsel who takes notice for the third respondent would submit that he has no objection for conducting survey as per the direction issued by this Court in the earlier Writ Petition. Regarding the impugned notice, he submits that the same was issued by the second respondent and the third respondent has no role to play.

7.This Court, in the Writ Petition filed by the third respondent specifically directed the official respondents to issue notice to the Petitioner and other interested parties. Without issuing notice and without conducting any enquiry, the impugned notice has been issued for survey of the subject property. Therefore the same is liable to be set aside.

8.Accordingly, the Writ Petition is allowed by quashing the impugned notice issued by the second respondent. The respondents 1 and 2 are directed to comply with the direction issued by this Court in para 6 of the order passed in W.P(MD)No. 11603 of 2025 and take a final decision with regard to the survey of the property within a period of 12 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.



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

To

- 1.The Tahsildar,
Taluk Office,
Sivagangai Taluk,
Sivagangai.
- 2.The Firka Surveyor,
Taluk Office,
Sivagangai Taluk,
Sivagangai.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

W.P(MD)No.22640 of 2025
and
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