



W.P.(MD)No.34876 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.34876 of 2025

K.Kalavathi

... Petitioner

-VS-

1.The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

2.The Taluk Surveyor,
Kumbakonam Taluk,
Thanjavur District.

3.The Revenue Divisional Officer,
Kumbakonam.

4.The District Collector,
District Collector's Office,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to survey the land comprised in T.S.No.2071/1-Part, Kumbakonam Town, having an extent of 1584 square feet (147.16 square meters) situated at Kumbakonam Town, Thanjavur District, by considering the petitioner's representation dated 07.04.2025.



WEB COPY



W.P.(MD)No.34876 of 2025

For Petitioner : Mr.S.Gurumoorthy
For Respondents : Mr.D.S.Nedun Chezhian
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents 1 and 2 to survey the land comprised in T.S.No.2071/1-Part, Kumbakonam Town, having an extent of 1584 square feet (147.16 square meters) situated at Kumbakonam Town, Thanjavur District, by considering the petitioner's representation dated 07.04.2025.

2. With the consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. According to the petitioner, she is the absolute owner of the subject property, having lawfully purchased it through a registered sale deed dated 24.09.2024 and her title is clear, valid, and undisputed on record. One Aravind,



W.P.(MD)No.34876 of 2025

who is the third party, has fabricated a false settlement deed in favour of his wife with *mala fide* intention of illegally encroaching upon the petitioner's property. The said document is fraudulent, void, and confers no legal rights.

5. Upon noticing the attempted encroachment, the petitioner submitted multiple representations to the authorities seeking proper survey and protection of her property. Despite the same, no effective action has been taken.

6. The petitioner has also submitted an online application on 07.04.2025, requesting the respondents to carry out the mandatory survey and verify the boundaries, but the respondents have failed to discharge their statutory obligations.

7. Left with no alternative and having exhausted all other remedies, the petitioner has approached this Court seeking a direction to the authorities to conduct survey of the property in accordance with law, prevent illegal encroachment, and safeguard the petitioner's lawful property rights.



W.P.(MD)No.34876 of 2025

8. The learned Government Advocate for the respondents submits that the survey has been conducted and the report is yet to be filed.

9. Considering the facts and circumstances of the case, this Court is of the view that it is for the respondents to follow due procedure while conducting the survey. In the event of any rival claims, the parties are at liberty to work out their remedies before the Civil Court.

10. The Writ Petition stands disposed of with the above observations. No costs.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
02.12.2025

To:-

1.The Tahsildar,
Kumbakonam Taluk,
Thanjavur District.

2.The Taluk Surveyor,
Kumbakonam Taluk,
Thanjavur District.



W.P.(MD)No.34876 of 2025

3.The Revenue Divisional Officer,
Kumbakonam.

4.The District Collector,
District Collector's Office,
Thanjavur.



WEB COPY



W.P.(MD)No.34876 of 2025

K.SURENDER, J.

smn2

W.P.(MD)No.34876 of 2025

02.12.2025