



W.P(MD)NO.24942 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :11.09.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.24942 of 2022
and
W.M.P.(MD) No.19041 of 2022

S.A.Fakrudeen Ibrahim.

... Petitioner

Vs

1. The District Collector,
Madurai District.

2. The Tahsildar,
Madurai North Taluk,
Madurai District.

3. The Sub Inspector (Land Survey),
Taluk Office,
Madurai North Taluk,
Madurai District.

4. The Village Administrative Officer,
Thallakulam Village,
Madurai District.

5. Shanmuga Priyadharshini

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the entire records pertaining to the impugned notice issued by the third respondent in F.L. Petition No. 8785/2022 signed on 17.10.2022 and quash the same and consequently, direct the third respondent to desist from his further action towards conducting survey upon the properties situated in T.S.No. 15/2, 20/4, 5 and 6A2, Block - 3, Ward XVI, Madurai North Taluk, Madurai District till the outcome of civil suit in O.S.No. 4 of 2018 pending on the file of the learned District Munsif, Melur, Madurai District.

For Petitioner : Mr. R. Anand.

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R1 to R4
Mr.M.Arjun Varman for R5

ORDER

A survey was proposed to be conducted upon application by the fifth respondent. By this Writ Petition, the petitioner seeks to prevent the conduct of such survey. A notice issued by the third respondent has been assailed in that regard.

2. Learned counsel for the fifth respondent submits that a request had been made to survey the land of the said respondent in relation to the proposed sale thereof. He further submits that the property is in survey No.16/1A. Since the proposed survey is in relation to the fifth



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respondent's property, learned counsel for the fifth respondent states that the petitioner would not be affected in any manner by such survey.

3. Learned Additional Government Pleader points out that a civil suit filed by the petitioner against one A.Ilangovan was dismissed for default on 03.09.2024. Consequently, he submits that there is no impediment for the conduct of the survey.

4. The challenge in this Writ Petition is to a notice in relation to conduct of the survey. Such survey is in respect of the property of the fifth respondent. As the owner of the adjacent/neighbouring land, the petitioner is entitled to be put on notice because the fixation of boundary stones may affect the rights of the petitioner. Subject to putting the petitioner on notice and considering the objections, if any, of the petitioner, the official respondents are permitted to proceed with the survey. The official respondents shall complete such survey within a period of two (2) months from the date of receipt of a copy of this order.



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5. This Writ Petition is disposed of on these terms without any order as to costs. Consequently, connected miscellaneous petition is closed.

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

11.09.2025

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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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