



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.09.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.24670 of 2025

and

W.M.P(MD)No.19367 of 2025

Krishnan

...Petitioner

Vs

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

2. The Taluk Surveyor, Office of the Taluk Surveyor,
Natham Taluk Office,
Dindigul District.

3.Sarasu

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 herein to consider the petitioner objections dated 04.07.2025 by opposing to survey the petitioner properties comprised in S.Nos.1222/19, 1222/20 and 1222/23 situated at Periyoorpatti, Sendurai Village, Natham Taluk, Dindigul District, within the time stipulated by this Court.

For Petitioner

: Mr.R.Jameelarasu

For Respondents

: Mr.B.Saravanan

Additional Government Pleader
for R1 & R2



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ORDER

The petitioner seeks a direction to consider his objections in relation to the survey of the property in S.Nos.1222/19, 1222/20 and 1222/23.

2.Learned counsel for the petitioner states that the third respondent unlawfully obtained patta in respect of the above mentioned properties and that the petitioner has filed an appeal before the Revenue Divisional Officer for cancellation thereof. Pending such proceedings, he states that the official respondents are endeavouring to conduct the survey and fix the boundary stones right in front of the petitioner's property.

3.Learned Additional Government Pleader accepts notice on behalf of the first and second respondent. On written instructions, he submits that the survey was carried out, but that the boundary stones could not be fixed in view of the petitioner's objections.

4.The petitioner has filed a civil suit in O.S.No.36 of 2025 against the third respondent and two others seeking a declaration with regard to easementary rights over the property over which the third respondent asserts title.



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5. At this juncture, the patta stands in the name of the third respondent.

Even the civil suit, as noticed above, relates to easementary rights and not a rival title claim. In such circumstances, subject to putting the petitioner on notice and considering the objections of the petitioner, the petitioner is not entitled to prevent the conduct of the survey by the official respondents. The writ petition is disposed of on these terms without any order as to costs. It is needless to say that the easementary rights of the petitioner shall abide by the outcome of the pending civil suit. Consequently, connected writ miscellaneous petition is also closed.

11.09.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Tahsildar, Natham Taluk Office,
Dindigul District.
2. The Taluk Surveyor, Office of the Taluk Surveyor,
Natham Taluk Office,
Dindigul District.



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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