



W.P(MD)No. 25863 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :19.09.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 25863 of 2025

S.Arockiyasamy

... Petitioner

Vs

1. The Tahsildar,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

2. The Head Surveyor,
Survey Department,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

3. Kooppan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to conduct survey and demarcation at the petitioner's Punja Land properties comprised in Survey No.43/1A1 and 43/1A2 measuring about 1.63.0 Hectares (1.22.50 Hectares + 40.50 Hectares), and Survey No.42/2 measuring about 0.33.50 Hectares situated at Thayamangalam Village, Ilaiyangudi Taluk, Sivagangai District based on the petitioner's online application dated 02.09.2025 made to the respondents No.1 and 2 with the help of the police in the event any opposition by the third respondent in the nature of enabling the petitioner to lay the boundary



W.P(MD)No. 25863 of 2025

stone for the purpose of fencing the above mentioned properties.

WEB COPY

For Petitioner : Mr. B.Prahalad Ravi

For Respondents : Mr.K.R.Badurus Zaman
Government Advocate for R1 & R2

ORDER

By relying on registered sale deeds dated 28.02.2024 and 11.07.2024 and a patta transfer order dated 22.03.2024, the petitioner requested for a survey of the lands in survey numbers mentioned in this Writ Petition.

2. Learned Government Advocate accepts notice on behalf of the respondents 1 and 2. He points out that an online application was submitted only on 02.09.2025. Therefore, he seeks sixteen (16) weeks time to act on the application in the order of seniority.

3. Learned counsel for the petitioner further submits that the third respondent does not have any title or right in respect of these properties. He points out that he was a defendant in O.S.No.23 of 2021 and that he



W.P(MD)No. 25863 of 2025

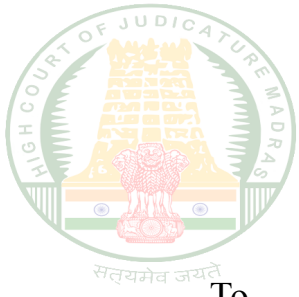
did not appeal against the judgment and decree against him. Even the appellate proceedings at the instance of the other defendants were concluded in favour of the original plaintiff.

4. In these circumstances, it is not necessary to issue notice to the third respondent at this juncture. Instead, the respondents 1 and 2 are directed to conduct an inquiry pursuant to the petitioner's application for a survey and take a decision within a period of sixteen (16) weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner, the third respondent and the owners of the relevant adjacent lands.

5. This Writ Petition is disposed of on these terms. No costs.

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

19.09.2025



W.P(MD)No. 25863 of 2025

To

1. The Tahsildar,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.

2. The Head Surveyor,
Survey Department,
Ilaiyangudi Taluk,
Ilaiyangudi,
Sivagangai District.



WEB COPY



W.P(MD)No. 25863 of 2025

SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

W.P(MD)No. 25863 of 2025

19.09.2025