



W.P(MD)No. 26186 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :**23.09.2025**

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 26186 of 2025

B.Vigneshwaran

... Petitioner

Vs

1. The Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District.

2. The Taluk Surveyor,
Kamuthi Taluk,
Ramanathapuram District.

3. The Inspector of Police,
Abiramam Police Station,
Kamuthi,
Ramanathapuram District.

4. R.Moorthy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to issue a direction directing the Respondents No.1 and 2 to conduct Survey and fix the four boundaries of the land in Survey No.264/40B1 situated at Abiramam Village, Kamuthi Taluk, Ramanathapuram District with adequate police protection of the third respondent based on the petitioner's online application dated 02.09.2025 within the time stipulated by this Court.

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For Petitioner : Mr. I.Pinaygash

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 & R2
Mr.S.Prakash
Government Advocate (Crl.Side) for R3

ORDER

By relying on three sale deeds and a joint patta in the names of five persons, the petitioner had submitted an online application for a survey. On the ground that a survey was not conducted on receipt of such application, the present Writ Petition has been filed.

2. Learned Special Government Pleader accepts notice on behalf of respondents 1 and 2 and learned Government Advocate (Crl.Side) accepts notice on behalf of third respondent. Learned Special Government Pleader has placed on record a survey notice dated 11.08.2025 scheduling the survey on 28.08.2025. He further submits that the survey could not be conducted on such date in view of objections by the fourth respondent.

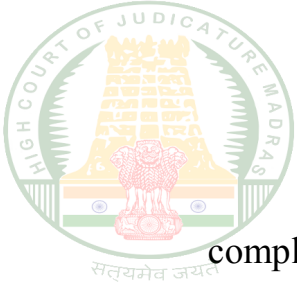
3. Learned counsel for the petitioner submits that the fourth



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respondent is the owner of the adjacent land and has not made a rival title claim in respect of the land in survey No.264/40B1. This aspect would have to be considered by the first and second respondents. Put differently, if there is a title dispute relating to the relevant survey number and if a civil litigation is pending in respect thereof, the said respondents should not proceed with the survey. On the other hand, if it is limited to a dispute relating to the boundaries, such dispute may be addressed by the first and second respondents. Before taking a decision in this matter, it is necessary to put all the joint pattadars and the owners of relevant adjacent lands, including the fourth respondent on notice. In view of this direction, notice to the fourth respondent in this Writ Petition is dispensed with.

4. Accordingly, this Writ Petition is disposed of by directing the first and second respondents to consider the petitioner's request for a survey and dispose of the same within a period of twelve (12) weeks from the date of receipt of a copy of this order after conducting an inquiry and providing a reasonable opportunity to the petitioner, the joint pattadars and the fourth respondent herein. The entire exercise shall be



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completed within a period of twelve (12) weeks from the date of receipt

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of a copy of this order. No costs.

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

23.09.2025

To

1. The Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District.

2. The Taluk Surveyor,
Kamuthi Taluk,
Ramanathapuram District.

3. The Inspector of Police,
Abiramam Police Station,
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Ramanathapuram District.



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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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23.09.2025