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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.11.2025**

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.34568 of 2025

Thiagu ... Petitioner

Vs

1. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

2. The Head Surveyor,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

3. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District.

4. K.Umadevi

5. C.Deivendiran ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the respondents 1 and 2 to conduct a survey of the petitioners landed properties bearing Survey Nos. 1659/3B and 1659/3C situated at Kombai West, Uthamapalayam Taluk, Theni District and to provide necessary protection of the 3rd respondent.

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For Petitioner : M/s.M.Sivakumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 and R2
Mr.S.Prakash
Government Advocate(crl.side) for R3

ORDER

By relying on sale deed dated 25.07.2025, the settlement deed dated 05.04.2019 and patta Nos.5934 and 7331, the petitioner had applied for survey of lands in S.No.1659/3B(10.80 ares) and 1659/3C(10.09 ares).

2. Learned Special Government Pleader accepts notice for respondents 1 and 2 and learned Government Advocate (crl.side) accepts notice for the 3rd respondent. Learned Special Government Pleader submits that an inquiry would be conducted after issuing notice to owners of relevant adjacent lands, including the 4th and 5th respondents.

3. In view of the submissions of learned Special Government Pleader that an enquiry would be conducted before a decision is taken, it is not necessary to issue notice to the private respondents in this writ petition. Instead, this writ petition is disposed of by directing the first respondent to conduct an inquiry in relation to the petitioner's request for survey after issuing notice to owners of

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relevant adjacent lands, including the 4th and 5th respondents herein. For the avoidance of doubt, it is clarified that the official respondents shall not conduct the survey if there is a credible title dispute, whereas a boundary dispute may be decided by them. A speaking order shall be issued within three months from the date of receipt of a copy of this order. No costs.

28.11.2025

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

To

1. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

2. The Head Surveyor,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

3. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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