



W.P.(MD)No.34892 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.34892 of 2025

Sarasu

... Petitioner

-VS-

1.The Tahsildar,
Usilampatti Taluk,
Madurai District.

2.The Head Surveyor,
O/o the Tahsildar,
Usilampatti Taluk,
Madurai District.

3.Kasirajan

4.Pandi

5.Thangaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to survey the petitioner's lands and to fix correct four boundaries of the petitioner's lands comprised in S.Nos.32/5A2 admeasuring to 52 Cents and 32/8C admeasuring to 1



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Acre and 79 Cents totally admeasuring to 2 Acres 31 Cents, situate at Panamooppanpatti Village, Polakkapatti Village, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.S.Ramu

For R1 and R2 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents 1 and 2 to survey the petitioner's lands and to fix correct four boundaries of the petitioner's lands comprised in S.Nos.32/5A2 admeasuring to 52 Cents and 32/8C admeasuring to 1 Acre and 79 Cents totally admeasuring to 2 Acres 31 Cents, situate at Panamooppanpatti Village, Polakkapatti Village, Usilampatti Taluk, Madurai District.

2. With the consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the respondents 3 to 5, notice to the respondents 3 to 5 is hereby dispensed with.



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4. According to the petitioner, she had purchased punja land comprised in Survey Nos. 32/5A2 admeasuring 52 cents and 32/8C admeasuring 1 acre and 79 cents, totally admeasuring 2 acres and 31 cents, situated at Panamooppanpatti Village, Polakkpatti Village, Usilampatti Taluk, Madurai District, from one B.Achuthan, son of Balakrishnan. Since the date of purchase, she has been in absolute possession and enjoyment of the said properties. The pattas for the said lands bearing Nos.1214 and 1218 also stand in her name.

5. While the facts stood thus, the respondents 3 to 5 started disputing the boundaries in order to utilise the rainwater stagnated in the petitioner's land. Hence, the petitioner made an online application bearing No. 2025/0123/24/0201186 dated 17.09.2025 to the respondents and paid the requisite fee of Rs.1,660/- for surveying her lands and fixing the correct four boundaries.

6. Pursuant to the said application, the second respondent came to the petitioner's land and commenced the survey. However, at that juncture, the respondents 3 to 5 unlawfully trespassed into the petitioner's land and prevented



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the second respondent and his subordinates from conducting the survey.

Thereafter, the petitioner made repeated personal requests to the second respondent to survey her lands, but all such attempts proved futile.

7. Subsequently, the petitioner sent a written representation dated 07.11.2025 to the first respondent through registered post, explaining her grievance and requesting him to take appropriate action to survey her lands. Even after receipt of the representation, the 1st respondent has deliberately failed and neglected either to consider the petitioner's representation or to take steps to conduct the survey. The inaction on the part of the respondents amounts to a clear case of demand and refusal.

8. As the petitioner has no other alternative, speedy or efficacious remedy against such inaction, she is constrained to invoke the jurisdiction of this Court.

9. The learned Special Government Pleader for the respondents 1 and 2 submitted that proper steps would be taken to demarcate the land in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923.



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10. Recording the aforesaid submission, this Court directs the first respondent to consider the online application of the petitioner dated 17.09.2025, demarcate the petitioner's land after considering the claims of both parties, and pass orders in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923, within a period of eight weeks from the date of receipt of a copy of this order. Any rival claim regarding ownership of the property shall remain open for adjudication before the competent civil court.

11. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
02.12.2025

To:-

- 1.The Tahsildar,
Usilampatti Taluk,
Madurai District.
- 2.The Head Surveyor,
O/o the Tahsildar,
Usilampatti Taluk,
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