



W.P.(MD) No.35769 of 2025

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 15.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.SURENDER

W.P.(MD)No.35769 of 2025

and

W.M.P.(MD)Nos.28379 & 28380 of 2025

P.S.Louis

... Petitioner

Vs.

- 1.The District Collector,
O/o. The District Collector,
Theni District,
Theni.
- 2.The District Revenue Officer,
O/o. the District Revenue Officer,
Theni District.
- 3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Uthamapalayam,
Theni District.



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4.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

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

6.M.Alex ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the fourth respondent in Na.Ka.No.1087/2025 dated 24.11.2025 (received on 03.12.2025) and quash the same as illegal and consequently restrain the respondents 4 & 5 from conducting survey in respect of the land in Survey No.9/2 and its sub-division ie., 9/7 and 9/9 till the disposal of civil suit in O.S.No.112 of 2025, on the file of the learned District Munsif Court, Uthamapalayam, within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents 1 to 5 : Mr.D.S.Nedunchezian
Government Advocate



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ORDER

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This Writ Petition has been filed seeking to quash the impugned order passed by the fourth respondent in Na.Ka.No. 1087/2025 dated 24.11.2025 (received on 03.12.2025) and to consequently restrain the respondents 4 & 5 from conducting survey in respect of the land in Survey No.9/2 and its sub-division ie., 9/7 and 9/9 till the disposal of civil suit in O.S.No.112 of 2025, on the file of the learned District Munsif Court, Uthamapalayam.

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 sixth respondent, notice to the sixth respondent is hereby dispensed with.

4.The sixth respondent in the present Writ Petition has earlier filed a Writ Petition in W.P.(MD)No.24480 of 2025, whereby he sought for a direction from this Court to update the PME sketch in accordance with the boundaries of the registered sale deed dated 18.10.2011 and consequently to demarcate the same. This



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Court, by its order dated 11.09.2025 directed the Tahsildar, Uthamapalayam Taluk, to consider the petitioner's / sixth respondent's request to conduct survey after putting all persons who would be affected by such survey on notice.

5.The present Writ Petition is filed questioning the said notice issued to the petitioner herein. As seen from the notice which is now impugned, it is found that 25 persons were issued with such notice before conducting survey. However, learned Counsel for the petitioner submits that an enquiry had to be conducted even before proceeding with the survey.

6.Though, there is nothing specific that is mentioned in the order dated 11.09.2025 in W.P.(MD)No.24480 of 2025, to conduct an enquiry, however, once a request for survey is taken up, all the aspects including the persons interested in the property has to be considered by the Tahsildar. Hence, this Court is of the view that no further orders are required in the present Writ Petition. However, the respondent Tahsildar is directed to follow the observations made above, while conducting survey.



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7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[K.SURENDER, J.]

15.12.2025

MR

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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