



WEB COPY

WP No. 1215 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 1215 of 2026

Rural Institute for Community Education (Rice),
Mathakondapalli Model School (CBSE),
Mathakondapalli, Krishnagiri District- 635 114
Rep by its Treasurer/ Authorized Signatory
S.Oliver Solomon.

..Petitioner(s)

Vs

1. The District Collector,
Krishnagiri District.
2. The Tahsildar,
Denkanikottai Taluk, Krishnagiri District.
3. Ameer Basha

..Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India to call for the records of the 2nd respondent relating to the Impugned notice in Na.Ka.32/2026/B5 dated 05.01.2026 and quash the same as being illegal, unconstitutional, and without authority of law.

For Petitioner(s): MR.R.KANNAN

For Respondent(s): MR.D.RAVICHANDER,SGP
for R1 & R2



ORDER

This writ petition has been filed challenging the impugned notice dated 05.01.2026 issued by the second respondent, putting the petitioner on notice regarding the survey and demarcation of the boundaries pertaining to the property morefully described in the affidavit filed in support of this writ petition, based on an application submitted by the third respondent.

2. Since no adverse orders are passed against the third respondent in this writ petition, notice to the third respondent in this writ petition is dispensed with.

3. The petitioner's grievance is that despite the pendency of civil suits pertaining to the very same property for which survey and demarcation is sought for by the third respondent, the second respondent is in the process of considering the request of the third respondent to survey and demarcate the subject property. The petitioner also claims that in respect of certain properties, it is an undisputed fact that the petitioner is the absolute owner of the said properties.

4. Mr.D.Ravichander, learned Special Government Pleader, accepts notice on behalf of the respondents 1 and 2, and on instructions, he submits that only after hearing the objections from the petitioner, survey and demarcation



will be done by the second respondent. The said statement made by the learned Special Government Pleader on instructions is recorded by this Court.

WEB COPY

5. The learned counsel for the petitioner would submit that the impugned notice dated 05.01.2026 has got lapsed, and therefore, the second respondent will have to issue a fresh notice to the petitioner, calling upon them to attend the enquiry in the light of the request for survey and demarcation of the boundaries sought for by the third respondent, and thereafter, on receipt of the said notice, the petitioner shall participate in the said enquiry on the specified date.

6. The learned counsel for the petitioner drew the attention of this Court to the order dated 19.06.2023 passed by this Court in W.P.Nos.37519 of 2016, etc. (batch), involving the subject property as well, and would submit that it has been made clear in the said order that where any one of the parties has instituted civil suit, which is pending before the competent civil court of law, then the revenue authorities are not empowered to decide the issues and the parties are bound to resolve the issues before the competent civil court of law.

7. The learned counsel for the petitioner also drew the attention of this Court to the subsequent orders passed by this Court in W.P.No.10151 of 2023, dated 21.07.2023; as well as the order passed by the Division Bench of this Court in W.A.(MD) No.1806 of 2023, dated 13.10.2023, and would submit that



the aforesaid orders are consequential orders pursuant to the passing of the order dated 19.06.2023 in W.P.Nos.37519 of 2016, etc. (batch). He would submit that those orders have also got to be given due consideration before a decision is taken by the second respondent with regard to the request made by the third respondent seeking survey and demarcation of the boundaries of the subject property.

8. The learned Special Government Pleader appearing for the respondents 1 and 2 submits that no survey and demarcation was done by the second respondent on 05.01.2026, and the second respondent will issue a fresh notice to the petitioner calling upon them to participate in the enquiry in the light of the request for survey and demarcation of the boundaries of the subject property sought for by the third respondent.

9. After recording the rival submissions, this writ petition is disposed of in the following manner:-

(a) The second respondent is directed to issue a fresh notice of hearing to the petitioner calling upon them to be present on a specified date when the survey and demarcation of the boundaries of the subject property is proposed to be carried out by the second respondent.

(b) The petitioner, on the specified date as per the fresh



notice received from the second respondent as directed supra, shall be present at the spot, and handover written objections to the second respondent as raised in this writ petition, and the second respondent shall receive the same and take a final decision about the survey and demarcation of the boundaries of the subject property based on the third respondent's request after giving due consideration to the objections raised by the petitioner, on merits and in accordance with law.

(c) The second respondent is directed to complete the exercise of surveying and demarcation of the boundaries, within a period of 12 weeks from the date of receipt of a copy of this order. The second respondent is also directed to communicate a copy of the decision taken to the petitioner and the third respondent.

This Court is not expressing any opinion on the merits of the aforesaid contentions of the learned counsel for the petitioner. No Costs. W.M.P.No.1415 of 2026 is ordered. W.M.P.No.1417 of 2026 is closed.

12-01-2026

Neutral Citation: Yes/No

RKM



WEB COPY

WP No. 1215 of 2026



ABDUL QUDDHOSE, J.

RKM

To

1. The District Collector, Krishnagiri Collectorate,
Krishnagiri, Hosur road, Krishnagiri-635 001.
2. The Tahsildar, Taluk Office, Denkanikottai
Taluk, Krishnagiri District.

WP No. 1215 of 2026

12-01-2026