



WEB COPY

WP No. 5141 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 5141 of 2026

P.Rajavel,
Son of Late.Poomalai, North Street,
Mudiyanoor Village and Post,
Kallakurichi Taluk and District.

Petitioner(s)

Vs

1.The District Collector,
Kallakurichi, Kallakurichi District.

2.The Tahsildar,
Kallakurichi, Kallakurichi District.

3.The Land Surveyor,
O/o.Tahsildar Office, Kallakurichi,
Kallakurichi Taluk and District.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, to call for the records in No.2025/N105/33/573264 dated 27.12.2025 communication sent by way of SMS pending before the 2nd respondent and quash the same, consequentially direct the 2nd respondent herein to issuance of separate Patta in favour of the Petitioner in respect of comprised Survey No.79/2B-3.50 cents out of 21 cents and Survey No.79/4-1 cent out of 6 cents to a total extent of 4.50 cents property situated at Virugavoor Revenue Village, Kallakurichi Taluk and District within a reasonable time to be fixed by this Court.



For Petitioner(s): M/s.A.Tamizhi

For Respondent(s): Mr.C.Jayaprakash
Govt. Advocate For Respondent

ORDER

This writ petition has been filed challenging the impugned order dated 27.12.2025, passed by the 2nd respondent rejecting the petitioner's application seeking for survey and demarcation of the boundaries for the property more fully disclosed in the prayer to this writ petition and for issuance of separate patta in favour of the petitioner on the ground that the said property cannot be surveyed as there are bushes in the property which will have to be removed.

2.The petitioner has challenged the impugned order on the ground of violation of principles of natural justice and on the ground that it is a non-speaking order. Learned counsel for the petitioner would submit that the petitioner is willing to remove the bushes in the property more fully disclosed in the prayer to this writ petitioner so as to enable the respondents to survey and demarcate the boundaries. The undertaking given by the petitioner before this Court is recorded.

3.Since the impugned order has been passed only on the ground that the bushes in the subject property have not been removed, no prejudice will be



caused to the respondents if the matter is remanded back to the 2nd respondent for fresh consideration of the petitioner's application seeking for survey and demarcation of the boundaries provided the petitioner removes the bushes from the subject property to enable the 2nd respondent to survey and demarcate the boundaries.

4. For the foregoing reasons, the impugned order dated 27.12.2025 passed by the 2nd respondent is hereby quashed and the matter is remanded back to the 2nd respondent for fresh consideration, on merits and in accordance with law, within a time frame to be fixed by this Court on removal of the bushes from the property more fully disclosed in the prayer to this writ petition by the petitioner. The petitioner is directed to remove the bushes from the property more fully disclosed in the prayer to this writ petition, within a period of two (2) weeks from the date of receipt of a copy of this order. On removal of the bushes by the petitioner from the property more fully disclosed in the prayer to this writ petition, the respondent shall conduct the survey and demarcation of the boundaries, after hearing the objections of the neighbouring land owners, if any and any other third party whom the 2nd respondent deems it fit to enquire, within a period of 12 weeks thereafter.



5. With the aforesaid directions, this writ petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The District Collector,
Kallakurichi, Kallakurichi District.
2. The Tahsildar,
Kallakurichi, Kallakurichi District.
3. The Land Surveyor,
O/o. Tahsildar Office, Kallakurichi,
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ABDUL QUDDHOSE J.
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