



WEB COPY

WP No. 20023 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

WP No. 20023 of 2026

Gopal
S/o. Muthu
No.2/257, Komathamatti,
Dinnahalli,
Nallampalli, Dharmapuri.

..Petitioner(s)

Vs

1. The District Collector
Dharmapuri District
Dharmapuri.
2. The Tashildar
Nallampalli (08) Taluk,
Dharmapuri (05) District.
3. The Surveyor,
Nallampalli (08) Taluk,
Dharmapuri (05) District.

..Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India, to direct the respondents to transfer the patta on the basis of the petitioner's online application No.2026/0105/05/013659 dated 16.04.2026 and survey the land in survey No.96/7D M.Finnahalli Village, to the extent of 0-9.50 Hec/ares on the basis of the petitioner's online application No.2026/0123/05/018254 dated 04.05.2026 within a time frame may be fixed by this Hon'ble Court.

For Petitioner(s):

Mr.M.Gnanasekar

For Respondent(s):

Mr.L.S.M.Hasan Fizal, AGP



Order

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This Writ Petition has been filed to direct the respondents to transfer the patta on the basis of the petitioner's online application No.2026/0105/05/013659 dated 16.04.2026 and survey the land in survey No.96/7D M.Finnahalli Village, to the extent of 0-9.50 Hec/ares on the basis of the petitioner's online application No.2026/0123/05/018254 dated 04.05.2026.

2. The learned counsel for the petitioner states that the scope of the Writ Petition can be confined for conducting the survey alone and the issue of transfer of patta can be worked out later.

3. The petitioner purchased the petition mentioned property *vide* sale deed dated 04.11.2025. The petitioner's vendors are very much having patta in their favour. Hence, the authority can very well process the petitioner's survey application on the strength of the said patta. Since the petitioner's application for conducting survey was not considered, this Writ Petition came to be filed.

4. Accordingly, this Writ Petition is disposed of with the following directions:-

(I) The petitioner is directed to submit his / her application in on-line mode. The survey authority will scrutinize if the application



submitted by the petitioner is in order. Patta need not be in the name of the applicant. If patta is in the name of the vendor and mutation has not been effected, still the application can be considered.

(II) The petitioner will have to enclose all the relevant documents such as patta. The applicant must have individual patta in his / her name. If he / she is having joint patta, co-pattadars must give their consent for conducting survey.

(III) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(IV) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(V) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the objector is unable to obtain any injunction order, the survey can very well go on. If any suit is filed, subject to plaint being in order, it shall be numbered immediately. If any interlocutory application is filed, it shall be disposed of on merits and in accordance with law within a period of four weeks thereafter.



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(VI) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

(VII) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(VIII) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(IX) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can never result in dispossession of any party. If the petitioner wants to put up fencing and if there is any objection from any private party, fencing can be put up only after the petitioner obtains decree from the jurisdictional Civil Court.

(X) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice on the interested persons.



(XI) A copy of the survey report along with sketch will be served on the parties. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSK

To

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