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W.P.No.50833 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

Coram

The Honourable **Mr.Justice Abdul Quddhose**

W.P.No.50833 of 2025

KADUVETTIPALAYAM SRI VINAYAGA
CHARITABLE TRUST
REP BY ITS TRUSTEE-TREASURER
C.PONNUSAMY

..Petitioner

Vs.

- 1 THE DISTRICT COLLECTOR
COIMBATORE, COIMBATORE DISTRICT
- 2 THE TAHSILDAR
SULUR TALUK COIMBATORE-641 402.
- 3 THE SURVEYOR
O/O.THE TAHSILDAR SULUR TALUK
COIMBATORE- 641 402.
- 4 A.ARUMUGHAM
- 5 T.SATHISH KUMAR

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from surveying the petitioner's temple trust property comprised in survey Nos.291A/2A and 292/4 situated at Kaduvettipalayam village sulur Taluk Coimbatore District.



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For Petitioner : Mr.A.Saravanan
For Respondents 1 to 3 : Mr.D.Ravichander
Special Government Pleader
Respondents 4 and 5 : Notice Dispensed with

Order

This Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed to forbear the official respondents from surveying the petitioner's property morefully described in the prayer to this Writ Petition.

3. The petitioner-Trust claims that they are the absolute owners of the property morefully described in the prayer to this Writ Petition. However, according to them, illegally, the respondents 4 and 5, who are the neighbouring land owners are attempting to survey and demarcate the boundaries of the property, which includes the petitioner's property with the assistance of official respondents.



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4. It is also represented by the learned Special Government Pleader for the official respondents that based on the application submitted by the private respondents, viz., respondents 4 and 5, the respondents 2 and 3 have commenced enquiry for the purpose of surveying and demarcation of the boundaries of the property, however, they will take a final decision with regard to the survey and demarcation of the boundaries only after hearing the objections of the petitioner herein, who is the neighbouring land owner.

5. The learned counsel for the petitioner also submits that the petitioner-Trust has already submitted written objections to the respondents 2 and 3 objecting to survey and demarcation of the boundaries of the property. Necessarily, the respondents 2 and 3 will have to consider the same and only thereafter, they can decide as to whether survey and demarcation of the boundaries of the property can be conducted or not.

6. No prejudice would be caused to any of the parties, if survey and demarcation of the boundaries is done by respondents 2 and 3 after hearing the objections of the petitioner as well as private respondents, viz., respondents 4 and 5 and any other third party, whom, the respondents 2 and



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3 deem fit to enquire within a time frame to be fixed by this Court. This

Court is not expressing any opinion on the merits of the petitioner's contentions before this Court. Since no adverse orders are being passed against the private respondents, viz., respondents 4 and 5, notice to them is dispensed with by this Court in this Writ Petition.

7. For the foregoing reasons, this Court directs the respondents 2 and 3 to consider surveying and demarcation of the boundaries of the property morefully described in the prayer to this Writ Petition after giving due consideration to the objections raised by the petitioner as well as the respondents 4 and 5 and any other third party, whom, the respondents 2 and 3 deem fit to enquire. The said exercise shall be completed by the respondents 2 and 3 within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also granted liberty to file fresh supporting documents to substantiate their case that they are the absolute owners of the property morefully described in the prayer to this Writ Petition.



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8. With the aforesaid direction, this Writ Petition is disposed of. No costs.

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Index : yes/no

Neutral Citation : yes/no

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Abdul Quddhose,J.,

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