



W.P.(MD) No.811 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.811 of 2026

and

W.M.P.(MD) Nos.667 & 668 of 2026

Arumugam

... Petitioner

Vs.

1.The Tasildhar,
Natham Taluk,
Natham, Dindigul District.

2.The Firka Surveyor,
Natham Taluk,
Natham, Dindigul District.

3.Kurinchinathan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorari to call for the entire records in connection with the undated impugned order of the second respondent and quash the same as illegal.

For Petitioner : Mr.D.Anbarasu

For R1 & R2 : Mr.R.Ragavendran
Government Advocate



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ORDER

WEB COPY This Writ Petition has been filed seeking issuance of a Writ of Certiorari to call for the entire records relating to the undated impugned notice issued by the second respondent and to quash the same as illegal.

2. With the consent of the learned counsel for the petitioner and the learned Government Advocate appearing for the first and second respondents, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with notice to the third respondent, as no adverse orders are proposed to be passed against him.

3. The learned counsel for the petitioner submits that the impugned notice was issued by the second respondent proposing to conduct a survey of the land in Survey No.252/7, situated at Samuthirapatti Village, Natham Taluk, Dindigul District, fixing the date as 09.01.2026, i.e., today; that the title to the property is the subject matter of a pending suit in O.S.No.245 of 2025 on the file of the Principal Sub Court, Dindigul; and that the second respondent, without considering the same, has issued the survey notice and has no authority to adjudicate upon the title to the property.



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4. The learned Government Advocate appearing for the first and second respondents would submit that the third respondent has filed a Writ Petition in W.P.(MD) No.4791 of 2025 before this Court seeking direction to survey and demarcation of the property; that this Court, by an order dated 21.02.2025, directed the first and second respondents to conduct survey based on the third respondent's online application dated 28.10.2024; that once this Court has passed an order directing the officials to conduct the survey, it is bounden duty of them to comply with the direction of this Court and therefore, the second respondent has issued the impugned survey notice; and that if the petitioner is aggrieved by the order in the Writ Petition, the petitioner may challenge the same.

5. The learned counsel for the petitioner submits that the third respondent, by suppressing the fact that a suit with regard to the title is pending and by arraying the petitioner as a party to the writ petition, has filed the said writ petition.

6. In view of the above submissions, this Court is of the view that when an order of a Court has neither been stayed nor set aside, it is the bounden duty of the officials to comply with the same. Since the



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petitioner has been issued with a notice for survey, all objections raised by the petitioner shall form part of the proceedings to be undertaken by the respondents and appropriate orders shall be passed in accordance with law.

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

[K.SURENDER, J.]
09.01.2026

JEN
Index : Yes / No
Neutral Citation : Yes / No

To

1.The Tasildhar,
Natham Taluk,
Natham, Dindigul District.

2.The Firka Surveyor,
Natham Taluk,
Natham, Dindigul District.



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