



W.P.(MD)No.2700 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.2700 of 2026

S.Muthulakshmi

... Petitioner

-VS-

1.The Thasildar,
Usilampatti Taluk,
Madurai District.

2.The Head Surveyor,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

3.P.Kaluvan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the objection of the petitioner before conducting the survey in respect of land in Old Survey No. 173/1, situated in Kovilangulam Village, Usilampatti Taluk, Madurai District, based on the representation of the petitioner, dated 27.01.2026.

For Petitioner : Mr.S.Ramsundarvijayraj

For R1 and R2 : Mr.B.Ramanathan
Additional Government Pleader



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ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to consider the objection of the petitioner before conducting the survey in respect of land in Old Survey No.173/1, situated in Kovilangulam Village, Usilampatti Taluk, Madurai District, based on the representation of the petitioner, dated 27.01.2026.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the third respondent, notice to the third respondent is hereby dispensed with.

4. The learned counsel for the petitioner submits that the petitioner is the lawful owner and in possession of the subject properties. The learned counsel further submits that pursuant to the order dated 12.12.2025 passed by this Court in W.P.(MD) No.34693 of 2025, filed by the third respondent herein, wherein this Court directed the first respondent to consider and dispose of the application



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dated 04.10.2025 filed by the third respondent seeking survey and demarcation, on merits and in accordance with law, after taking note of the civil suit stated to be pending between the parties in respect of the subject property and after issuing notice to all the interested parties, a notice dated 27.01.2026 was issued to the petitioner proposing to conduct survey of the subject property on 04.02.2026.

5. The learned counsel also submits that the petitioner has raised objections opposing the survey. However, without considering the petitioner's representation, the respondents 1 and 2 proceeded to conduct the survey on 04.02.2026. Hence, the petitioner has been constrained to approach this Court by filing the present Writ Petition.

6. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that the petitioner's representation / objection will be considered and appropriate orders will be passed on merits and in accordance with law.



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7. Recording the aforesaid submission, and without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a direction to the first respondent to consider the petitioner's representation / objection dated 27.01.2026 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, before proceeding with any survey. The first respondent is directed to afford a reasonable opportunity of hearing to the petitioner, the third respondent and any other persons, who may be affected by such decision. Needless to state that, in the event of any rival claims, the parties are at liberty to work out their remedies before the competent Civil Court. There shall be no order as to costs.

NCC : Yes / No

Index : Yes / No

smn2

Note:- Issue order copy on **03.02.2026**.

(K.SURENDER, J.)
02.02.2026

To:-

1.The Thasildar,
Usilampatti Taluk,
Madurai District.



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2. The Head Surveyor,
Usilampatti Taluk Office,
Usilampatti,
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