



W.P.(MD)No.4144 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.4144 of 2025

and

W.M.P.(MD)No.2992 of 2025

Muthumurugan

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Andipatti Taluk,
Theni District.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Head Surveyor,
Andipatti Taluk,
Theni District.

4.Seenisamy

5.Kalaiselvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 24.01.2025 with regard to not to survey the property in S.Nos.1985/4, 1985/5, 1985/14 to an extend of 0.14.0 Hectors



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respectively, situated at Thimmarasanaickanur Village, Andipatti Taluk, Theni District till the disposal of enquiry of the cancellation of Patta No.7724 is pending before the first respondent within the period that may be stipulated by this Court.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan
For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader
For R4 and R5 : Mr.B.Rajesh Saravanan

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 24.01.2025, requesting that no survey be conducted in respect of the properties comprised in Survey Nos.1985/4, 1985/5, and 1985/14, measuring an extent of 0.14.0 hectares respectively, situated at Thimmarasanaickanur Village, Andipatti Taluk, Theni District, until the enquiry relating to cancellation of Patta No.7724, pending before the first respondent, is concluded, within such period as may be stipulated by this Court.

2. The learned counsel for the petitioner submits that the subject properties originally belonged to the petitioner's father. It is further submitted that this



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Court, by order dated 09.12.2024, in W.P.(MD)No.29519 of 2024, filed by the fourth respondent herein, relating to the conduct of survey and demarcation of the property of the fifth respondent, who is none other than the wife of the fourth respondent, directed the survey authorities to complete the entire exercise one way or the other.

3. The learned counsel for the petitioner further submits that there are pending family disputes with regard to the subject properties and that the petitioner herein, namely, Muthumurugan, has submitted a representation objecting to the conduct of survey, since he has already initiated proceedings seeking cancellation of Patta No.7724, which stands in the name of the fifth respondent.

4. Inasmuch as the proceedings relating to cancellation of Patta No.7724 in favour of the fifth respondent have a direct bearing on the proposed survey, this Court is of the view that the enquiry relating to cancellation of the patta shall be concluded prior to proceeding further with the survey. The said exercise shall be completed within a period of sixteen weeks from the date of receipt of a copy of



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this order. 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.

5. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
27.01.2026

To:-

- 1.The Revenue Divisional Officer,
Andipatti Taluk,
Theni District.
- 2.The Tahsildar,
Andipatti Taluk,
Theni District.
- 3.The Head Surveyor,
Andipatti Taluk,
Theni District.



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