



W.P.(MD) No.5384 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.5384 of 2026

Muthulakshmiammal

... Petitioner

Vs.

1.The Tahsildar,
Rajapalayam,
Virudhunagar District.

2.The Surveyor,
Rajapalayam Taluk,
Virudhunagar District.

3.V.Boopathi alias Boopathiyammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for records relating to the proceedings in Na.Ka.F.L.A 456/2024 dated 31.07.2024 on the file of the first respondent and quash the same and consequently direct the first and second respondents to survey and to earmark the four boundaries of petitioners Punja land in S.No.907/1A2I, Patta No.2997 situated at Melarajakularaman Village, Keelarajakularaman Sub Registration, Rajapalayam Taluk, Virudhunagar District on the basis of the petitioner's representation dated 27.09.2023.



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For Petitioner : Mr.S.Vashik Ali
for Mr.R.Niresh Kumar

For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.F.L.A.No.456/2024 dated 31.07.2024 on the file of the first respondent and to quash the same and consequently to direct the first and second respondents to survey and earmark the four boundaries of the petitioner's punja land comprised in S.No.907/1A2I, Patta No.2997, situated at Melarajakularaman Village, Keelarajakularaman Sub-Registration District, Rajapalayam Taluk, Virudhunagar District, on the basis of the petitioner's representation dated 27.09.2023.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Earlier, this Court, by order dated 05.04.2024 in W.P.(MD) No. 8817 of 2024 filed by the petitioner herein, directed the respondents to conduct a survey with the following directions:



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(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.

(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, copattadars 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.

(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.



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(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.

4. The learned counsel for the petitioner would submit that the impugned order has been passed by the first respondent stating that the survey could not be conducted on three grounds, namely: (i) that the petitioner had not applied through the online portal; (ii) that a civil suit is pending; and (iii) that the co-pattadar has not given consent for the conduct of the survey, though this Court had directed the respondents to conduct the survey subject to certain conditions. It is further submitted



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that the petitioner had already submitted an online application dated 27.09.2023.

5. This Court has already imposed certain conditions for conducting the survey of the land. The petitioner has also filed an online application, a copy of which has been annexed in the typed set of papers. Therefore, following the earlier order of this Court dated 05.04.2024 in W.P.(MD) No.8817 of 2024, the respondents are directed to conduct the survey within a period of twelve (12) weeks from the date of receipt of a copy of this order. All other conditions, except the time limit and the requirement of filing the online application, shall be complied with while conducting the survey.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

[K.SURENDER, J.]
27.02.2026

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Index : Yes / No
Neutral Citation : Yes / No



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To

WEB COPY

- 1.The Tahsildar,
Rajapalayam,
Virudhunagar District.
- 2.The Surveyor,
Rajapalayam Taluk,
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