



W.P.(MD)No.7399 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7399 of 2026

N.Uma

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Madurai District.
2. The Tahsildar,
Thiruparankundram Taluk,
Madurai District.
3. The Head Surveyor,
Thiruparankundram Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to conduct the survey as per Tamil Nadu Survey and Boundaries Act 1923 and to fix boundaries in respect of entire land in Survey Numbers 154/10, 154/25 and 154/9 which are situated at, Thanakankulam Village, Thiruparankundram Taluk, Madurai District.



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For Petitioners : Mr.A.Ganesan

For Respondents : Mr.A.Oliraja
Government Advocate

ORDER

This petition has been filed seeking to direct the respondents to conduct the survey as per Tamil Nadu Survey and Boundaries Act 1923 and to fix boundaries in respect of entire land in Survey Numbers 154/10, 154/25 and 154/9 which are situated at, Thanakankulam Village, Thiruparankundram Taluk, Madurai District.

2. The learned counsel for the petitioner submitted that the petitioner claims rights over the property through his great-grandfather, K.R. Venkatraman, who was the absolute owner of the property situated in Survey No. 154/3C5B1, comprised in Patta No. 1820, measuring an extent of 24.50 ares. The said property was granted to the petitioner's great-grandfather by way of a gift deed (Doc. No. 903 of 1961) executed by his father, K.V.R.S. Mani, on 23.01.1961. After the demise of the great-grandfather on 23.02.1991, the property devolved



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upon the petitioner's father, P.S. Narasimman. Upon the death of the petitioner's father on 07.02.2017, the property was inherited by the petitioner and his mother as legal heirs. Subsequently, after the death of the petitioner's mother on 15.05.2018, the petitioner became the absolute owner of the property. The petitioner contends that one Uma @ Sankari, daughter of Pitchaithevar, filed a complaint before the Revenue Divisional Officer in Ne.Mu.No.4417/2025/4 on behalf of one Kathiravan. The said proceedings were disposed of by an order dated 03.12.2025, wherein it was held that the petitioner's great-grandfather is the owner of the property and that the patta stands in his name.

3. Admittedly, a civil dispute between the petitioner and the rival claimants, which is currently pending. In these circumstances, the Revenue Authorities have directed the second respondent to retain the patta in the name of K.R. Venkaraman, the petitioner's great-grandfather. The petitioner is therefore seeking to have the land surveyed. The petitioner claims to be in possession and enjoyment of the property, while the rival claimants are also claiming possession of the same property.



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4. It is settled proposition of law that merely conducting a survey does not confer any right upon the petitioner to remove an alleged encroachment without following due process of law. Therefore, the 2nd respondent is directed to conduct a survey of the property with the assistance of the 3rd respondent, after issuing due notice to the petitioner as well as the rival claimants. If necessary, the jurisdictional police shall provide protection to ensure that the survey is carried out smoothly. It is clarified that the petitioner cannot seek to evict the occupants under the guise of conducting the survey. However, liberty is granted to the petitioner to approach the competent court for removal of the encroached by strictly following due process of law. . The Court is also directing the official respondents to adhere to the following Standard Operating Procedures:

a. The Official respondents shall issue notice to the petitioner immediately reaching the spot where survey is to be conducted. The petitioner shall affix the signature by receiving the notice of survey.

b. After survey again the petitioner shall affix signature indicating that the survey was conducted to their satisfaction.



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c. If the petitioner is not satisfied, then also the petitioner shall affix signature indicating their dissatisfaction or with protest. The petitioner shall indicate that reason of their dissatisfaction or protest.

The aforesaid procedure shall be strictly followed by the parties The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

18.03.2026

Index : Yes / No
Internet : Yes
NCC : Yes / No

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To

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Madurai District.
3. The Head Surveyor,
Thiruparankundram Taluk,
Madurai District.
4. The Government Advocate,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

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**Order made in
W.P.(MD)No. 7399 of 2026**

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