



W.P(MD)No.10954 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.10954 of 2026

J.Jeyathilagar

... Petitioner

Vs

1. The Tahsildar,
(Land Survey Division)
Kodaikanal Taluk,
Dindigul District.
2. The Commissioner,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.
3. The Taluk Surveyor,
Kodaikanal Taluk, Dindigul District.
4. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindigul District.
5. D. John Kennedy
6. S.Xavier
7. X.Albert

... Respondents



W.P(MD)No.10954 of 2026

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent Nos.1 to 3 to survey the land located in Ward-D, Block-7, T.S.Nos.37 and 38, Kodaikanal Town, Dindigul District, admeasuring 6.18 Cents and 13.59 Cents respectively (totaling 19.77 Cents), in Patta No.305, and demarcate the boundaries based on the petitioner's application dated 24.03.2026 and further, directing the fourth respondent to provide necessary police protection to survey the lands, within a time frame as fixed by this Court.

For Petitioner	: Mr.B.Saravanan for M/s.B.Saravanan Associates
For R-1 & R-3	: Mr.S.Siva Thilakar Counsel for State of Tamil Nadu
For R-2	: Mr.T.S.Mohamed Mohideen
For R-4	: Mr.V.Shathurthi Raja Counsel for State of Tamil Nadu
R-6	: Deceased
R-5 & R-7	: Unserved

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the Respondent Nos.1 to 3 to survey the land located in Ward-D, Block-7, T.S.Nos.37 and 38, Kodaikanal Town, Dindigul District admeasuring 6.18 Cents and 13.59 Cents respectively (totaling 19.77 Cents), in



W.P(MD)No.10954 of 2026

Patta No.305, and demarcate the boundaries based on the petitioner's application dated 24.03.2026 and further, directing the fourth respondent to provide necessary police protection to survey the lands, within a time frame as fixed by this Court.

2. The petitioner is claiming right over the subject property based on the sale deed dated 21.07.1966. The petitioner purchased the property from one Sankaralingam Pillai, who, in turn, had acquired the same vide Document No. 185 of 1956. Based on the sale deed, the the petitioner obtained patta in his name. Thereafter, he is in possession and enjoyment of the property. According to the petitioner, the respondents 5 to 7 has no right over the property and have encroached the subject property. In fact, the petitioner had earlier sought a survey of the property by filing W.P.(MD) No. 18235 of 2017, wherein this Court, by order dated 09.10.2018, directed the respondents to survey the property. Based on the said order, survey was also conducted. In spite of the same, the respondents 5 to 6 are creating problem to the petitioner by removing the survey stones. Therefore, the petitioner is seeking to re-survey the property and to install the survey stones.

3. The learned Counsel appearing for the fourth respondent on instructions, submitted that a civil suit is already pending which has been filed by the petitioner as against the Church. The respondents 5 to 7 are the persons representing the said



Church. Merely surveying the property will not affect the rights of the parties in civil suit. However if encroachments are there, then encroachment shall be removed by following due process of law.

4. In view of the above, the first respondent is directed to conduct a survey after issuing notice to the petitioner and the respondents 5 to 7. If the first respondent requires police protection, the same shall be provided by the fourth respondent. If the petitioner is seeking to lay boundary stones, the same shall be laid at the cost of the petitioner. In case, if there is any encroachment by any individuals, the petitioner is at liberty to evict them by following the due process of law. The petitioner shall not take the law into his own hands to evict them. The official respondents shall adhere to the following Standard Operating Procedures:

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



W.P(MD)No.10954 of 2026

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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 disposed of. There shall be no order as to costs.

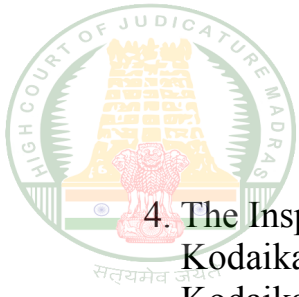
03.06.2026

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

jbr

To:

1. The Tahsildar,
(Land Survey Division)
Kodaikanal Taluk, Dindigul District.
2. The Commissioner,
Kodaikanal Municipality,
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3. The Taluk Surveyor,
Kodaikanal Taluk, Dindigul District.



W.P(MD)No.10954 of 2026

4. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindigul District

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W.P(MD)No.10954 of 2026

S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.10954 of 2026**

DATED : 03.06.2026