



W.P(MD)No.13976 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2026

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13976 of 2026

and

W.M.P.(MD)No.10413 of 2026

S.Sudarkodi

... Petitioner

Vs

1. The District Collector,
Collector Office, Sattur Road,
Virudhunagar,
Virudhunagar District.
2. The Sub Collector,
Sivakasi,
Virudhunagar District.
3. The Tahsildar,
Taluk Office,
Watrap Taluk, Watrap,
Virudhunagar District.
4. Sri.D.Manimaran,
5. Sri.D.Anbusezhiyan
6. The Superintendent of Police,
District Police Office,
Virudhuangar,
Virudhunagar District.



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7. The Inspector of Police,
Watrap Police Station,
Watrap, Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, by invoking the extraordinary jurisdiction of this Court under Article 226 of Constitution of India, by issuing suitable direction to the respondents 1 to 3 to measure, identify and handover the property to petitioner and also to remove the obstruction by the Respondents 4 and 5, their men, agent and associates in the landed property situated in Survey No.832/1A2 to an extent of 0.20 Acre in Maharajapuram Village, Watrap Taluk, Virudhunagar District and thus render justice.

For Petitioner : Mr. Rengasamy S

For R1 to R3 : Mr.I.Pinaygash
Counsel for State of Tamil Nadu

For R-6 & R-7 : Mr.V.Shathurthi Raja
Counsel for State of Tamil Nadu



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, directing respondents 1 to 3 to measure, identify and hand over the property comprised in Survey No.832/1A2, measuring an extent of 0.20 acre, situated at Maharajapuram Village, Watrap Taluk, Virudhunagar District, to the petitioner and to remove the alleged obstruction caused by respondents 4 and 5, their men, agents and associates.

2. The petitioner is claiming right over the property comprised in Survey No.832/1A2 to an extent of 0.20 Acre. According to the petitioner, his father purchased the property through a registered sale deed, vide Document No.1895 of 1994. Subsequently, the petitioner's father executed a Will dated 19.02.2018, bequeathing the property in favour of his legal heirs. Based on the said Will, the petitioner claims right over the subject property. It is further submitted that the respondents 4 and 5, who are adjacent landowners, are causing obstruction to the petitioner's peaceful enjoyment of the property. Hence, the petitioner seeks a direction for survey and identification of the property and also for removal of the alleged encroachment. As far as the prayer seeking removal of encroachment is concerned, the same cannot be granted in the present writ proceedings. However,



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the request for survey and identification of the property can be considered.

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3. In view of the above, the third respondent is directed to survey the property after issuing notice to the petitioner, the respondents 4 and 5 and any rival claimants, if any. If the third respondent requires police protection, the same shall be provided by the seventh respondent. It is made clear that the petitioner shall not take the law into his own hands under the guise of the survey proceedings. The petitioner is at liberty to work out his remedies for removal of the encroachment by following the due process of law. 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.



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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.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.06.2026

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

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To:

1. The District Collector,,
Collector Office, Sattur Road,
Virudhunagar, Virudhunagar District.
2. The Sub Collector,,
Sivakasi, Virudhunagar District.
3. The Tahsildar,,
Taluk Office, Watrap Taluk, Watrap,
Virudhunagar District.
4. The Superintendent of Police,
District Police Office,
Virudhuangar, Virudhunagar District.
5. The Inspector of Police,,
Watrap Police Station,
Watrap, Virudhunagar,
Virudhunagar District.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.13976 of 2026**

DATED : 01.06.2026