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WP(MD) NO. 15754 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 15754 of 2026

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Petitioner(s)

Vs

1. The Tahsildar, Karaikudi Taluk,
Sivagangai District
2. The Firka Surveyor, Karaikudi Taluk,
Sivagangai District
3. The Inspector of Police, Chettinad Police Station,
Sivagangai District
4. Sethuraman

Respondent(s)

For Petitioner(s) : Mr.EM.Arun Swaminathan

For Respondents : Mr.I. Pinaygash

Counsel for the State of Tamilnadu for R-1 & R-2

Mr.Mohamed Riyaz,

Counsel for the State of Tamilnadu, for R-3



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents no.1 and 2 to conduct survey, demarcate the property, and fix boundary stones in respect of the petitioner's land in Survey No.35/2, K.Nerpugapatti Village, Karaikudi Taluk, Sivagangai District, based on the petitioner's application dated 07.05.2026 bearing Application No.2026/N123/23/000716 and consequently direct the revenue authorities to consider and effect mutation of patta in favour of the petitioner's son, namely Thiru.S.Marimuthu, S/o.Selvaraj, on the basis of the registered Settlement Deed bearing Document No.1471 of 2017 dated 27.10.2017, within a time frame fixed by this Court.

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing Respondents 1 and 2 to conduct a survey, demarcate the property, and fix boundary stones in respect of the petitioner's land based on the petitioner's application dated 07.06.2026, and consequently direct the revenue authorities to consider and effect mutation of patta in favour of the petitioner's son, namely Thiru S. Marimuthu, S/o Selvaraj, on the basis of the registered Settlement Deed dated 27.10.2017, within a time frame to be fixed by this Court.



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2. The petitioner claims rights over the property situated in Survey No.351/2, measuring an extent of 0.03.56 ares (8.79 cents, equivalent to 3,834 sq. ft.). Originally, the said property belonged to the petitioner's grandmother, namely Silambaye, wife of Late Vairavan Servai, who executed a Will dated 19.01.2009 in favour of the petitioner, registered as Document No.2 of 2009. Upon the demise of the petitioner's grandmother, the Will came into effect. Thereafter, the petitioner applied for transfer of patta, however, the same was not considered, and the patta continues to stand in the name of the petitioner's grandmother.

3. Based on the said Will, the petitioner executed a Settlement Deed bearing Document No.1471 of 2017, dated 27.10.2017, in favour of his son, S. Marimuthu, S/o Selvaraj. Since the petitioner's son is employed in Chennai, he is unable to visit the property frequently. In order to safeguard the property, the petitioner sought a survey of the property and submitted an online application dated 07.06.2026. As the same was not considered, the present writ petition has been filed. The 4th respondent is the adjoining landowner and is allegedly interfering with the petitioner's boundaries. Hence, the petitioner seeks a survey of the property.



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4. Accordingly, the 1st Respondent is directed to conduct a survey of the subject property, measure the same, and fix the boundaries with the assistance of the 2nd Respondent. The official respondents shall adhere to the following Standard Operating Procedures:

(i) The official respondents shall issue notice to the petitioner as well as the 4th respondent. If there are any rival claimants, notice shall also be issued to them in accordance with law.

(ii) Upon completion of the survey, the petitioner and the 4th respondent shall affix their signatures acknowledging that the survey was conducted and indicating whether it was carried out to their satisfaction.

(iii) If either the petitioner or the 4th respondent is dissatisfied with the survey, they shall nevertheless affix their signatures, recording such dissatisfaction or protest along with the reasons therefor.



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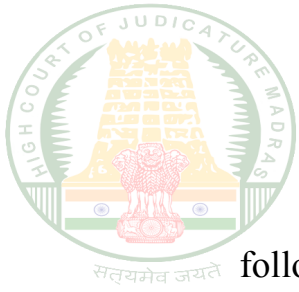
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(iv) The aforesaid procedure shall be strictly followed by all parties. The entire exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

(v) If the 1st Respondent requires police protection, he shall approach the 3rd respondent, and the respondent police shall provide the necessary protection.

(vi) If the petitioner wishes to lay boundary stones, the same may be done at his own cost. The petitioner shall also bear the expenses towards police protection, if required.

(vii) The petitioner has expressed an apprehension that the 4th respondent may create obstruction even before the survey is conducted. Therefore, the Tahsildar is directed to ensure that no law and order problem arises during the survey process. In the event that the 4th respondent is found to have encroached upon the petitioner's property, the petitioner shall be at liberty to approach the competent civil court for appropriate relief, including eviction. It is made clear that the petitioner shall seek eviction of the 4th respondent only by



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following due process of law and shall not take the law into his own hands or create any law and order problem.

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

11.06.2026

Index : Yes / No
NCC : Yes / No
KSA

Note : Issue a copy of order on 12.06.2026



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TO

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S.SRIMATHY, J.

KSA

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