



W.P(MD)No.16937 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2026

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.16937 of 2026

Kasimayan

... Petitioner

Vs

1. The Tahsildar,
Usilampatti Taluk,
Madurai District.
2. The Firka Surveyor,
Usilampatti Taluk,
Madurai District.
3. The Inspector of Police,
Uthapanayakkanur Police Station,
Madurai District.
4. Periyakaruppan
5. Kasimayan
6. Murugan
7. Lakshmi
8. Selvi
9. Pappu
10. Kuyila
11. Mokkaismy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to measure and demarcate petitioner's properties in Survey No. 497/3 and 497/5,



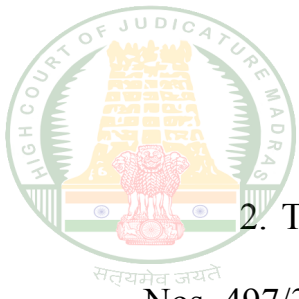
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measuring 2 Acres and 13 Cents situated at Thimmanatham Village, Usilampatti Taluk, Madurai South, Madurai District and consequently direct to give adequate police protection by the 3rd respondent during the survey by considering the petitioner's application, vide E-challan in No.2026/0123/24/003927 and E-challan in No.2026/0123/24/004629 dated 14.05.2026 and 02.06.2026 and fencing.

For Petitioner : Mr.P.Praveenkumar
For R-1 & R-2 : Mr.I.Pinaygash
Counsel for State of Tamil Nadu
For R-3 : Mr.R.Mohamed Riyaz
Counsel for State of Tamil Nadu

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing respondents 1 and 2 to measure and demarcate the petitioner's properties comprised in Survey Nos. 497/3 and 497/5, measuring an extent of 2 acres and 13 cents, situated at Thimmanatham Village, Usilampatti Taluk, Madurai District, and consequently direct the third respondent to provide adequate police protection during the survey and fencing operations, by considering the petitioner's applications submitted vide E-Challan Nos. 2026/0123/24/003927 and 2026/0123/24/004629 dated 14.05.2026 and 02.06.2026, respectively.



2. The petitioner is claiming right over the property comprised in Survey Nos. 497/3 and 497/5, measuring an extent of 2 acres and 13 cents. Originally, the property belonged to the petitioner's father, namely, Ayyar as ancestral property. After his demise, the petitioner and his sister Karupayae, are entitled to the property as his legal heirs. The petitioner's mother had predeceased his father. Now, the petitioner is seeking to survey the subject property.

3. The petitioner submitted that his sister had orally relinquished her right over the property. However, this Court is of the considered opinion that an oral relinquishment or oral settlement of the property is not permitted under law. The petitioner further submitted that respondents 4 to 11, who are adjacent landowners are disputing the boundaries of the petitioner's property.

4. Considering the facts and circumstance of the case, the first respondent is directed to conduct a survey with the assistance of the second respondent, after issuing notice to the petitioner, the petitioner's sister Karupaye and respondents 4 to 11. If the first respondent requires police protection, the same shall be provided by the jurisdictional police. The official respondents shall adhere to the following Standard Operating Procedures:

- The official respondents shall issue notice to the petitioner immediately



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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.

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.

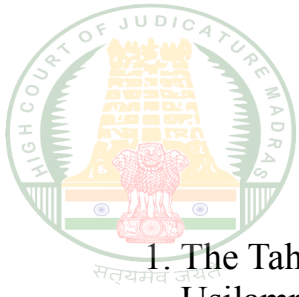
19.06.2026

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

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To:

4/6



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Usilampatti Taluk,
Madurai District.
2. The Firka Surveyor,
Usilampatti Taluk,
Madurai District.
3. The Inspector of Police,
Uthapanayakkanur Police Station,
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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.16937 of 2026**

DATED : 19.06.2026