



W.P(MD)No.17739 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.06.2026

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17739 of 2026

K.Soundarrajan

... Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Virudhunagar District - 626 001.

2.The District Revenue Officer,
District Revenue Office,
Collectorate Campus,
Virudhunagar District - 626 001.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi - 626 123,
Virudhunagar District.

4.The Tahsildar,
Rajapalayam Taluk Office,
Rajapalayam,
Virudhunagar District - 626 117.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent



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to dispose the petitioner's Application No.E-1846883/2024 dated 06.03.2024, pertaining to the 1/6th undivided share in their family property comprised in Survey No.245/1, measuring an extent of 4 Acres and 64 Cents, situated at Rajapalayam Village, Rajapalayam Taluk, Virudhunagar District, in the light of the proceedings of the first respondent in Na.Ka.Aa1/50-10/4/2023-B1 dated 23.04.2024, within a time frame to be fixed by this Court.

For Petitioner : Mr.C.Abul Kalam Azad

For Respondents : Mr.S.Siva Thilakar
counsel for State

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus directing the respondents to consider and dispose of the petitioner's application dated 06.03.2024.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.Mr.S.Siva Thilakar, learned counsel for State, accepts notice on behalf of the respondents.



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4.The petitioner contends that the property comprised in Survey No.245/1 belongs to the petitioner's family. The petitioner traces title through late Sangili Karuppa Pandiya Chinnathambiyar, who had filed a suit in O.S.No.27 of 1914 on the file of the Sub Court, Tuticorin. A judgment and decree came to be passed on 31.08.1918, wherein it was declared that a one-sixth share in the property belongs to the petitioner's family. The petitioner now claims right over the said one-sixth share. However, the petitioner is unable to identify the exact extent of the property, and the respondents have informed the petitioner that no such land is available.

5.The learned counsel for State, on instructions, submitted that in respect of Survey No.245, several persons have encroached upon the land. Consequently, the petitioner's share could not be identified.

6.After hearing the rival submissions, this Court is of the considered view that Survey No.245 admittedly exists and,



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therefore, the entire survey field has to be surveyed. The respondents

may not be concerned with the existing sub-divisions at this stage.

If, pursuant to the survey, it is found that third parties are in occupation of the petitioner's share on the strength of sale deeds executed in their favour, it is always open to the petitioner to work out his remedies in the manner known to law, including seeking removal of encroachments or challenging such sale deeds, if so advised.

7.The petitioner has produced the judgment and decree passed in O.S.No.27 of 1914 on the file of the Sub Court, Tuticorin. Apart from the said judgment and decree, the petitioner does not possess any other title documents. Therefore, the respondents shall not insist upon the production of any further documents and shall take into consideration the judgment and decree passed in O.S.No.27 of 1914 while considering the petitioner's claim. Thereafter, the respondents shall conduct the survey after issuing notice to the petitioner and the rival claimants, if any, afford them an opportunity of hearing, and pass appropriate orders on merits and in accordance



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with law. The entire exercise shall be completed within a period of
twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition stands
disposed of. No costs.

25.06.2026

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

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Rajapalayam, Virudhunagar District - 626 117.

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S.SRIMATHY, J.

ps

Order made in
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25.06.2026