



W.P.(MD)No.22731 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.22731 of 2025
WMP(MD) No.23764 of 2025

Jothi

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Theni District.

2. The Thasildar (Survey)
Periyakulam,
Trichy District.

3. M.Veeraperumal

4. Arockiam
S/o.Savarimuthu
Matha Kovil Street,
Thenkarai,
Periyakulam,
Theni District.

... Respondents

(R4 is impleaded vide Court order dated 27.10.2025 in WMP(MD).No. 23565 of 2025 in WP(MD).No.22731 of 2025)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to Survey and demarcate the four boundaries in respect of the petitioner's lands comprised in S.No.63/1A and S.No.63/1B Plot 1, Thenkarasi, Periyakulam, Theni District and issue patta in his favour pursuant to the application No.2025/0105/25/19653 dated 09.05.2025 made by the petitioner within the period that may be stipulated by this Court.

For Petitioner : M/s.H.Jasima Yasmin
For M/s.Ajmal Associates

For Respondents : Mr.D.Gandhiraj
Special Government Advocate
(R1 & R2)

Mr.M.Mahaboob Fazil
For M/s.Roy and Roy Associates (R3)

Mr.C.Godwin (R4)

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to Survey and demarcate the four boundaries in respect of the petitioner's lands comprised in S.No.63/1A and S.No.63/1B Plot 1, Thenkarasi, Periyakulam, Theni District and issue patta in his favour pursuant to the application No. 2025/0105/25/19653 dated 09.05.2025.



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2. Heard the learned counsel for the petitioner , the learned Special Government Pleader appearing for the respondents 1 and 2, the learned counsel for the third respondent and the learned counsel for the fourth respondent.

3. The petitioner is the absolute owner of the property comprised in Survey Nos. 63/1A and 63/1B, Plot No.1, situated at Thenkarai, Periyakulam, Theni District. However, the 3rd respondent claimed rights over the said property on the basis of a Power of Attorney, thereby raising a civil dispute between the petitioner and the 3rd respondent. Consequently, the petitioner filed a suit in O.S. No. 97 of 2013 on the file of the District Munsif Court, Periyakulam, which was decreed in favour of the petitioner on 02.03.2021. Aggrieved by the same, the 3rd respondent preferred an appeal in A.S. No. 6 of 2021 before the Sub Court, Periyakulam, which was dismissed on 24.01.2023. Thereafter, the 3rd respondent filed a Second Appeal in S.A.(MD) No. 293 of 2023 before this Court, which was also dismissed on 14.06.2023. Subsequently, the petitioner filed Contempt E.P. No. 5 of 2024 on the file of the District Munsif Court, Periyakulam, and the 3rd respondent is presently facing proceedings therein.



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4 . At this juncture, the petitioner has filed a petition seeking a survey of the property. Accordingly, this Court, by order dated 18.09.2025, directed the second respondent to conduct a survey of the property and submit a report before this Court on 19.02.2026. As the survey was not carried out within the stipulated time, the matter was taken up today.

5. Today, it is reported that the survey has been conducted, and the report states that the petitioner is in possession of the property. However, it is also brought to the notice of this Court that, as per proceedings dated 11.06.2025, the third respondent, with the assistance of about 20 persons, had obstructed the survey. In view of the same, the petitioner apprehends that the third respondent may continue to create further disturbances. It is further submitted that the third respondent has locked and taken the keys despite the existence of an order of injunction in favour of the petitioner. A contempt execution petition is stated to be pending in this regard. In such circumstances, the third respondent ought not to have interfered with the petitioner's possession or taken the key. Therefore, the third respondent is directed to hand over the key to the petitioner. The same shall



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be subject to the outcome of the contempt execution petition pending before the competent Court. The Court concerned shall proceed in accordance with and pass orders in the contempt petition.

6. Insofar as the fourth respondent is concerned, he is stated to be the owner of the neighbouring land, claiming title based on a sale deed. However, he has not filed any independent petition seeking survey of his land. Therefore, he is directed to approach the appropriate authority for survey of his land based on his own documents. Accordingly, the claim of the fourth respondent in the present writ petition stands rejected.

7. With regard to the petitioner's application for patta, it is submitted that the same is pending. Hence, the second respondent is directed to consider and dispose of the said application in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.



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8. With these directions, this Writ Petition is disposed of . Consequently, connected miscellaneous petition is closed. No costs

02.03.2026

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

1. The Revenue Divisional Officer,
Theni District.
2. The Thasildar (Survey)
Periyakulam,
Trichy District.
3. The Special Government Advocate,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

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**Order made in
W.P.(MD)No.22731 of 2025
WMP(MD) No.23764 of 2025**

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