



WP(MD)No.25070 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27/01/2026

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THE HONOURABLE MR. JUSTICE K. SURENDER

WP(MD). No.25070 of 2025
and
W.M.P(MD) No.19663 of 2025

R.Sakthivel

... Petitioner

Vs

1.The Tahsildar,
Kadavur Taluk Office,
Kadavur,
Karur District.

2.The Head Surveyor,
Kadavur Taluk Office,
Kadavur,
Karur District.

3.The Sub Inspector of Survey,
(Land Survey),
Kadavur Taluk,
Karur District.

4.Krishnan

5.Umarani

6.Sabarish,

7.Charumathi

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice issued by the 3rd respondent herein dated 08.09.2025 in light of the W.P.(MD).No.12553 of 2025 and quash the same as illegal and arbitrary and consequently direct the respondents 1 to 3 herein do not measure and interfering with the petitioner's peaceful possession and enjoyment of the property in Survey No.402/11A, 402/11B and 402/11C situated at Devarmalai Village, Kadavur Taluk, Karur District.

For Petitioner : Mr.G.Gomathisankar,
Advocate

For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader

For R4 : Mr.S.Ramakrishnan

ORDER

This Writ Petition is filed challenging the impugned notice issued by the third respondent herein dated 08.09.2025, in the light of the order passed in W.P.(MD).No.12553 of 2025 and consequently, to direct the respondents 1 to 3 herein not to measure or interfere with the petitioner's



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peaceful possession and enjoyment of the properties in Survey Nos. 402/11A, 402/11B and 402/11C, situated at Devarmalai Village, Kadavur Taluk, Karur District.

2.It is the case of the petitioner that the fourth respondent herein, namely, Krishnan filed W.P.(MD)No.12553 of 2025, seeking a direction to the respondents 1 and 2 herein to conduct a survey in respect of the property comprised in Survey No.402/11A, to extent of 0.12.61 hectares, situated at Devarmalai Village, Kadavur Taluk, Karur District. This Court, by order dated 23.06.2025, without expressing any opinion on the merits of the matter, directed the respondents 1 and 2 herein to dispose of the online application dated 03.03.2025 after issuing notice to the fourth respondent herein and the other interested persons. The petitioner herein was not made as a party to that writ petition. Thereafter, the petitioner herein, namely, Sakthivel filed W.P.(MD)No.23732 of 2025, seeking a direction to issue writ of mandamus restraining the respondents 1 and 2 herein from interfering with the peaceful possession and enjoyment of the properties in Survey Nos. 402/11A, 402/11B and 402/11C, situated at Devarmalai Village, Kadavur Taluk, Karur District. The fourth



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respondent herein was made as third respondent in the said writ petition.

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This Court, by order dated 29.08.2025, in W.P.(MD)No.23732 of 2025, without going into the merits of the case, directed the respondents 1 and 2 to consider the objections raised by the petitioner herein and to take a decision regarding the survey of the properties in accordance with law. Now, the petitioner has approached this Court challenging the impugned notice dated 08.09.2025 issued to him and all other six interested parties, including the fourth respondent herein, proposing to conduct survey of the subject properties on 11.09.2025.

3.The learned counsel for the petitioner submitted that the third respondent issued the impugned notice, proposing to conduct the survey of the subject properties on 11.09.2025, without affording any opportunity to the petitioner. He further submitted that a partition suit is pending between the petitioner and the respondents 4 to 7 herein and that the third respondent, without considering the same, is taking steps to measure the properties, which is contrary to law.



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4.The learned Special Government Pleader appearing for the respondents 1 to 3 submitted in view of the dispute between the parties regarding the subject properties, the survey was not conducted till date.

5.It is seen that the impugned notice was issued pursuant to the order passed in W.P.(MD)No.12553 of 2025, filed by the fourth respondent herein. However, in the said notice, there is no mention about the order passed in W.P.(MD)No.23723 of 2025, filed by the petitioner herein. This Court had specifically directed that after considering the petitioner's objection, a decision should be taken regarding conduct of survey with regard to the subject properties. However, the impugned notice indicates non-compliance of the order of this Court by the respondents 1 and 2.

6.As already stated, there is no reference about the order of this Court dated 29.08.2025, in W.P.(MD)No.23732 of 2025, in the impugned notice. For the said reasons, the impugned notice is set aside. The respondents 1 and 2 are at liberty to proceed further after considering the objection raised by the petitioner herein and also the



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pending civil disputes and conclude the proceedings within a period of twelve weeks from the date of receipt of a copy of this order. In the event of conducting any survey, the respondents 1 and 2 must specify the reasons for the same.

7. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(K.SURENDER, J.)
27.01.2026

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

1. The Tahsildar,
Kadavur Taluk Office,
Kadavur,
Karur District.

2. The Head Surveyor,
Kadavur Taluk Office,
Kadavur,
Karur District.

3. The Sub Inspector of Survey,
(Land Survey),
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