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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-10-2026

CORAM

THE HON'BLE MR JUSTICE G.R.SWAMINATHAN

WP(MD) No. 30457 of 2026

CNR:{HCMD011532402026}

Vallikannu
W/o.Ramasamy,
West Street, Edaiyankadu,
Vengarai Post,
Orathanadu,
Thanjavur District

..Petitioner(s)

Vs

1. The Taluk Surveyor
   Thiruvonam Taluk,
   Thanjavur District

2. The Firka Surveyor,
   Thiruvonam Taluk,
   Thanjavur District

3. The State Rep by its,
   The Inspector of Police,
   Kollaikaadu Police Station,
   Thanjavur District

..Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus by directing the respondents 1 to 2 to consider and dispose of the petitioner's application in No.2026/N123/21/004314 dated 02.10.2026 so as to survey and demarcate the petitioner's property situated in Survey No.94/21, situated at Thippanviduthi, Thiruvonam Taluk, Thanjavur District with the assistance of the 3rd respondent as expeditiously as possible.

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For Petitioner(s) : Mr.S.Vikraman

For Respondent(s) : Mr.P.Sathish Kumar
Government Advocate (Civil Side)
for R.1 & R.2

Mr.C.Chrishtopher
Additional Public Prosecutor
for R.3

ORDER

The petitioner has applied to the jurisdictional authority for conducting survey of the petition mentioned lands and for demarcation of the boundaries. Since the authority had not acted upon the petitioner's request, this writ petition came to be filed. The learned counsel for the petitioner assures this Court that there is no rival claim.

2.This writ petition is disposed of at the admission stage itself. It is open to any aggrieved party to move this Court either by way of review or recall of this order, if there is any suppression of material facts by the petitioner.

3.The Writ Petition is disposed of with the following directions:-

(I) The survey authority will scrutinize if the application submitted by the petitioner is in order.

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(II) The petitioner will have to enclose all the relevant documents such as patta. If the petitioner is having only a joint patta, he must get consent from co-pattadors for conducting survey.

(III) The survey authority will issue notice to the writ petitioner as well as the adjacent land owners and also to the interested persons, if any.

(IV) Enquiry shall be held. During enquiry, objections raised by the adjacent land owners / interested persons shall be considered.

(V) If according to the jurisdictional authority, the objections are without any basis, the same shall be overruled and the objectors shall be informed accordingly. But the survey will be conducted only after a period of six weeks so that the objector can move the concerned Court for injunction. If before the proposed date of survey, the objector is unable to obtain any injunction order, the survey can very well go on.

(VI) It is open to the parties to serve memo of instructions to the surveyor at the time of conducting survey. The same will be borne in mind. While it cannot be binding on the surveyor, the same will be taken note of.

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(VII) If the jurisdictional authority finds objections to be having substance, then, he shall call upon the applicant to move the jurisdictional civil Court for agitating his rights.

(VIII) If required, the survey authority is empowered to seek aid of the jurisdictional police and the jurisdictional police are mandated to grant police protection.

(IX) It is made clear that at the end of the survey exercise, survey stones alone can be installed. The exercise of survey and demarcation undertaken pursuant to the direction of this Court can never result in dispossession of any party. No person shall put up fencing at the time of survey by using police aid.

(X) The survey authority will conclude the entire exercise one way or the other within a period of six weeks after service of notice on the interested persons.

(XI) A copy of the survey report along with sketch will be served on the parties. No costs.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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G.R.SWAMINATHAN, J.
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