



W.P.(MD) No.31835 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.31835 of 2025

and

W.M.P.(MD) No.25252 of 2025

1.C.Sundarapandian

2.M.Subramanian

3.Mubarak Jahn

... Petitioners

Vs.

1.The Commissioner,
O/o Municipal Corporation,
Thanjavur District.

2.The Thasildar (Survey),
Thanjavur Town,
Thanjavur District.

3.The Taluk Surveyor,
Thanjavur Town,
Thanjavur District.

4.M.Thiyagarajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to survey and demarcate the four boundaries in respect of the land situated at S.No.



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1324/1, Ward 6, Block 25, Puliyanthopu Taluk, Thanjavur District in the light of the application preferred by the petitioner dated 19.06.2025.

For Petitioners : M/s.H.Jasima Yasmin
For R1 : Mr.N.Dilip Kumar
Standing Counsel
For R2 & R3 : Mr.P.Subbaraj
Special Government Pleader
For R4 : M/s.S.Modharshini

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the official respondents to survey and demarcate the four boundaries in respect of the land situated in S.No.1324/1, Ward No.6, Block No.25, Puliyanthopu Taluk, Thanjavur District, in the light of the application preferred by the petitioners dated 19.06.2025.

2. According to the petitioners, the subject land belongs to them. The fourth respondent herein is fraudulently claiming title over the property based on an unregistered agreement alleged to have been executed between him and the vendors of the petitioners.



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3. Though two suits filed by the petitioners, namely, O.S.No.89 of 2009 on the file of the District Munsif Court, Thanjavur (later transferred to the file of the Additional District Court No.I, Thanjavur and renumbered as O.S. No.102 of 2015), seeking permanent injunction and O.S.No.155 of 2010 on the file of the Additional District Court No.I, Thanjavur, were dismissed as against the fourth respondent and ended in favour of the petitioners, the fourth respondent has been disturbing the possession of the petitioners.

4. Therefore, the petitioners made an application dated 19.06.2025 to the official respondents, along with the necessary payments, for surveying and fixing the four boundaries of the subject property. Since the same has not been considered, the petitioners were constrained to file the present Writ Petition.

5. During the pendency of this Writ Petition, the fourth respondent has filed a Writ Petition in W.P.(MD) No.35154 of 2025 seeking rectification of errors in the Town Survey Land Register issued in respect of the subject lands, on the ground that the vendors of the petitioners had



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executed settlement deeds mentioning incorrect survey numbers. He has also made a representation dated 21.11.2025. Both the Writ Petitions are connected.

6. This Court is of the view that once a representation or application has been made, it is the bounden duty of the official respondents to dispose of the same. Therefore, this Court directs the second and third respondents to consider the application of the petitioners dated 19.06.2025, conduct an enquiry, demarcate the petitioners' land after considering the claims of all parties, including the private respondent and pass orders in accordance with Sections 9 and 10 of the Tamil Nadu Land Survey and Boundaries Act, 1923, within a period of twelve weeks from the date of receipt of a copy of this order.

7. It is needless to state that if necessary, all issues with regard to the rectification of errors and the survey and demarcation of the property shall be clubbed together for a proper decision. While disposing of the application and representations, the civil suits and the judgments therein shall be taken into consideration. All the points raised by the petitioners shall form part of the record.



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WEB COPY 8. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

[K.SURENDER, J.]
06.01.2026

(1/2)

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

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