



W.P.(MD) No.36697 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.36697 of 2025

Naganathan

... Petitioner

Vs.

1.The Assistant Director (Land Survey),
District Land Survey Department,
District Collectorate,
Virudhunagar.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

4.Saravanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 23.06.2025 to rectify the error in the FMB of Survey No.44/7B, situated at Mandapasalai Revenue Village, Aruppukottai Taluk, Virudhunagar District within a time limit that may be fixed by this Court.



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For Petitioner : Mr.K.Arunraj

For R1 to R3 : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 23.06.2025 for rectification of the error in the FMB of Survey No.44/7B, situated at Mandapasalai Revenue Village, Aruppukottai Taluk, Virudhunagar District, within the time limit to be fixed by this Court.

2. With the consent of the learned counsel for the petitioner and the learned Government Advocate for the first to third respondents, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with the notice to the third respondent, as no adverse orders are proposed to be passed against him.



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3. The learned counsel appearing for the petitioner would submit that the property in Survey No.40/6B2A, measuring an extent of 16 cents, belongs to the petitioner, who inherited the same from his father; that on 08.05.2025, the revenue officials demolished the petitioner's house constructed on the said land, stating that the said house had been constructed by way of encroachment; that in fact, the land in Survey No. 44/7B, which is adjacent to the petitioner's property and belongs to the fourth respondent, measures only 52 cents; that however, the revenue department has mistakenly reflected an extent of 60 cents in the FMB in favour of the fourth respondent; that due to the said mistake, the revenue department wrongly concluded that the petitioner had encroached upon the land and demolished the construction; that therefore, the petitioner sent a representation dated 23.06.2025 to the first to third respondents seeking rectification of the error in the FMB of Survey No.44/7B; that the second respondent forwarded the same to the first respondent on 29.08.2025 for taking appropriate steps; that the said representation is pending before the first respondent without any justifiable reason; and that therefore, the petitioner was constrained to file the present Writ Petition.



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4. The learned Government Advocate appearing for the first to third respondents would submit that the second respondent, the Revenue Divisional Officer, is the competent authority for rectification of the FMB and that the petitioner's representation would be considered and appropriate orders would be passed within a period of twelve weeks.

5. The learned counsel for the petitioner would submit that it is the first respondent, namely, the Assistant Director (Land Survey), District Land Survey Department, who is the competent authority.

6. Without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a direction to the competent authority, namely, either the second respondent, the Revenue Divisional Officer or the first respondent, the Assistant Director (Land Survey), District Land Survey Department, to dispose of the petitioner's representation dated 23.06.2025 on its merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The said representation shall be considered and disposed of after conducting an enquiry. The authority concerned is also directed to afford a reasonable opportunity of hearing during such enquiry to the petitioner, the fourth



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respondent and any other interested parties who may be affected by the decision. There shall be no order as to costs.

[K.SURENDER, J.]
02.01.2026

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Index : Yes / No

Neutral Citation : Yes / No

To

- 1.The Assistant Director (Land Survey),
District Land Survey Department,
District Collectorate,
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Virudhunagar District.
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