

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-06-2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

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WP(MD) NO. 5688 of 2025 and

WMP(MD)NO.4149 of 2025

Umamaheswari Petitioner

Vs

1.The District Collector
Collectorate
Ramanathapuram District.

2.The Revenue Divisional Officer
Revenue Divisional Office
Ramanathapuram.

3.The Tahsildhar
Ramanathapuram Taluk
Ramanathapuram District.

4.A.Rajathi

Respondent(s)

For Petitioner(s): Mr. S. Vashik Ali

For Respondent(s): Mr.G.Prabhu Rajadurai for Mr.S.Selva Aditya-for R-4
Mr.K.Saravanan, Counsel for State of Tamil Nadu-For R1 to R3

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 impugned records of the 2nd Respondent herein in his proceedings in Pa.Mu.A6/ 4921/2024 dated 26.11.2024 and to quash the same as illegal and further to direct the 2 and 3 Respondents herein to restore the Field Measurement Book in its original position with respect to the land in S.No.60/2A2 to an extent of 1 Acre 46 1/2 Cents in Valantharavai Village, Ramanathapuram Taluk, Ramanathapuram District within a time stipulated by this Court.



ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned proceedings of the 2nd Respondent in Pa.Mu.A6/4921/2024 dated 26.11.2024 and further to direct the 2 and 3 Respondents herein to restore the Field Measurement Book in its original position with respect to the land in S.No.60/2A2 to an extent of 1 Acre 46 1/2 Cents in Valantharavai Village, Ramanathapuram Taluk, Ramanathapuram District within a time stipulated by this Court.

2.The brief facts are that originally, the land in survey No.60/2A to an extent of 1.18.5 hectares belongs to two persons namely, Balakrishnan and Veerasamy. The southern portion belongs to Balakrishnan and the northern portion belongs to Veerasamy. The petitioner has purchased the southern portion from Balakrishnan in 2013. The said Balakrishnan sold the property to one Shankar in 2021 and the said Shankar sold the property to the petitioner. The 4th respondent has purchased the northern portion from Veerasamy in the year 1992. The petitioner is questioning the extent of the property. According to the petitioner, a larger extent is being shown to the respondents in FMB. The 4th respondent was aggrieved by the fact that eastern position facing towards common road was not properly divided. Therefore, the 4th



respondent submitted a petition before the respondents. After considering the rival submissions, the impugned order dated 26.11.2024 was passed.

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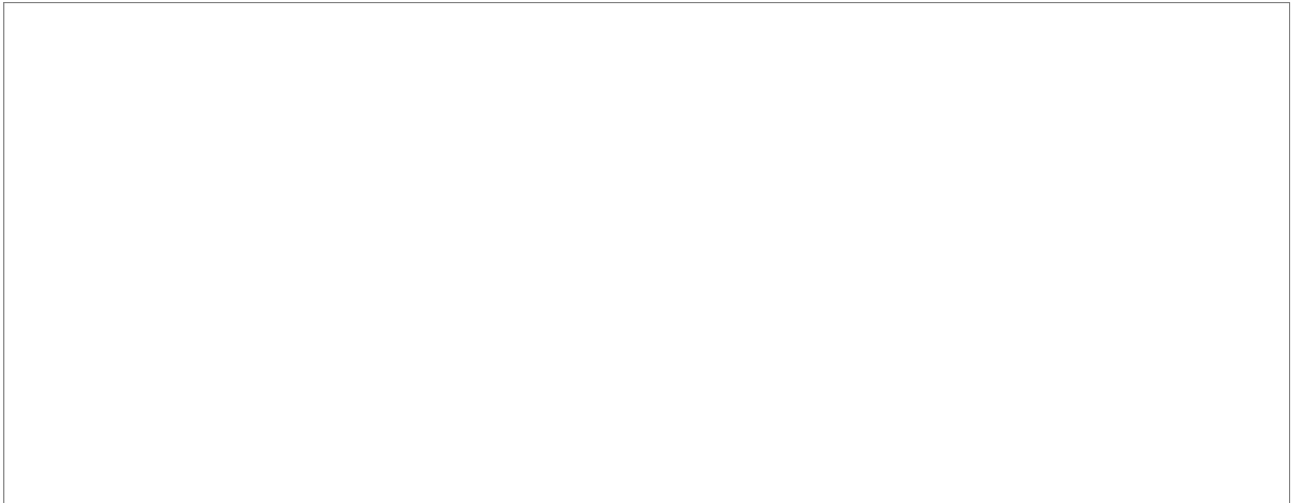
3.The Learned Counsel appearing for the petitioner submitted that the present impugned order has been passed by the 2nd respondent without jurisdiction. The contention of the petitioner is that it is an error in the FMB, therefore, the appropriate authority is the Assistant Director of Survey, Ramanathapuram, who ought to consider and pass orders. But the order is passed by the Revenue Divisional Officer.

4.This Court is of the considered opinion that it is not an FMB error. But it is an issue of dividing the property between the petitioner and the 4th respondent based on the entitlement of Balakrishnan and Veeraswamy. Especially, the 4th respondent's claim is that the eastern boundary which is facing the road has not been properly and equally divided. The impugned order has verified the same and has stated that it has been equally divided. But the petitioner submitted that the Assistant Director is the appropriate authority to pass an order. This Court is rejecting the said claim, since it is only dividing the property between the parties.

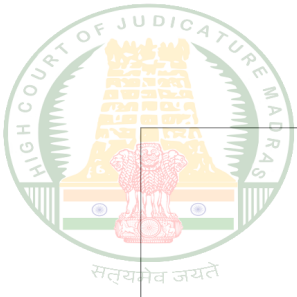
5.The next contention of the petitioner is that the present impugned order has been passed without hearing the petitioner. However, it is seen in the impugned order in



the reference portion, the fact whether issuance of notice has been carried out or not has not been mentioned. But the impugned order states that the order has been served to the petitioner as well as the 4th respondent. Moreover, the petitioner's case has also been taken by the respondents after thoroughly analysing the documents as well as the survey report submitted by the Tahsildar. The respondents have passed an order. Even though notice has not been issued to the petitioner, the respondents have rightly surveyed and thereafter, passed an order. By remitting the case for this reason, the issue would not be solved. Therefore, this Court directed the respondents again to survey and submit a report before this Court after issuing notice to the petitioner as well as to the 4th respondent. Today, the Tahsildar has surveyed report and submitted a report dated 05.06.2026, wherein the Tahsildar has stated as under:



The Tahsildar has stated that on the field, both the parties are having 1 Acre 46.5 cents.



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6. Therefore, this Court is of the considered opinion that both the parties are currently having the extent of the land and both the parties are having access to the road on their eastern boundary. Therefore, by remitting back, no purpose would be solved. Based on the survey report, this Court is convinced that both the parties are having correct extent with the access to the road in their eastern boundary. Hence, the impugned order is sustained and the respondents shall issue patta to petitioner as well as the 4th respondent to the extent of 1 acre 46.5 cents based on the last survey report dated 05.06.2026 and also carry out the necessary corrections in the village records and FMB records.



7. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

17-06-2026

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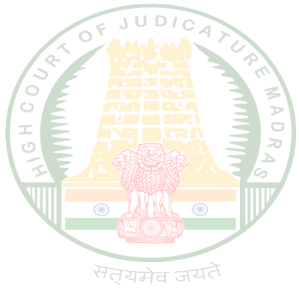
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S.SRIMATHY, J.
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ORDER
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