



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 49997 of 2025

and WMP No. 55910 of 2025

M.Saminathan
S/o.Maharaja Nainar, No.34, Mela Vellala Street,
Jayamkondam-621 802, Udayarpalayam Taluk,
Ariyalur District

..Petitioner(s)

Vs

1. The Thasildhar
Udayarpalayam Taluk Jayamkondam And Post,
Ariyalur District
2. The Head Surveyor
Udayarpalayam Taluk, Jayamkondam And Post,
Ariyalur District
3. Nivetha
W/o.Vasanthakumar, No.85, Krishna Street,
Srinivasa Nagar Main Road, ICF Colony,
Ambattur-600 058

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus forbearing the respondents 1 and 2 from conducting survey and fixing the boundaries in respect of the lands



in SF No.167/5, 168/6 and 168/8 totally measuring an extent of 1.68.00 ares of Pirancherry village at Udayarpalayam Taluk, Ariyalur District till the final decree passed in OS.No.5 of 2011 on the file of the principal District Judge, Ariyalur.

For Petitioner(s): Mr. M.Navaneethakrishnan

For Respondent(s): Mr. B. Pachaiyappan

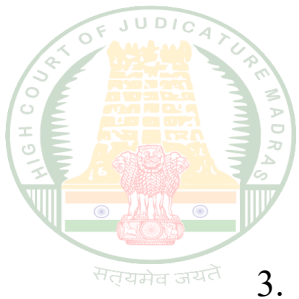
Government's Counsel for R1 and R2

Mr.R.Silambarasan for R3

ORDER

The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus forbearing respondents 1 and 2 from conducting a survey and fixing boundaries in respect of the lands in S.F. Nos. 167/5, 168/6, and 168/8, measuring a total extent of 1.68.00 hectares in Pirancherry Village, Udayarpalayam Taluk, Ariyalur District, pending final decree proceedings in O.S. No. 5 of 2011 on the file of the Principal District Judge, Ariyalur.

2. The learned counsel for the petitioner submitted that during the pendency of the partition suit, one of the shareholders alienated the subject property in favour of a third-party private respondent, who subsequently initiated and conducted a survey of the lands.



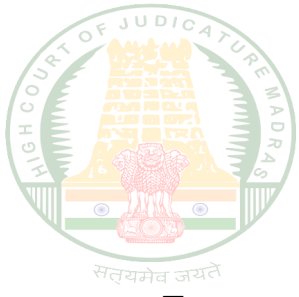
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3. It is made clear that any survey conducted or boundary fixed at the instance of the private respondent shall always be subject to the ultimate outcome of the pending partition suit in O.S. No. 5 of 2011. The final demarcation of boundaries and allotments shall be strictly subject to the final decree to be passed by the competent Civil Court.

4. In view of the above observations, the relief sought for in this Writ Petition has become infructuous. Accordingly, this Writ Petition stands dismissed as infructuous. However, liberty is granted to the third respondent to file an appropriate suit seeking allotment of the specific property in his possession, as per the share of his vendor. It is open to the Civil Court to decide the matter on its own merits and in accordance with law, uninfluenced by any observation made herein. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

24-07-2026

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To

1. The Thasildhar
Udayarpalayam Taluk Jayamkondam and Post,
Ariyalur District.
2. The Head Surveyor
Udayarpalayam Taluk, Jayamkondam And Post,
Ariyalur District.



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KRISHNAN RAMASAMY, J.

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