



WP(MD)No.8418 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P.(MD)No.8418 of 2023**

N.Thennarasu

... Petitioner

Vs.

1. The Tahsildar,  
Thirupparankundram Taluk,  
Madurai District.

2.K.Pichai

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the first respondent to survey the property in S.No.34/9 in the light of the sale deed in Document No.9693/2009 dated 26.06.2009 and patta was issued vide Patta No.3759 and consequently direct the first respondent to furnish a report to the petitioner.

For Petitioner : Mr.C.Arumugam  
For R1 : Mr.N.Muthu Vijayan



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## **ORDER**

This Writ Petition has been filed in the nature of mandamus seeking a direction to the first respondent to measure the land in Survey No.34/5 Thanakankulam Village, Tiruparankundram Taluk, Madurai District. The lands were part of a larger area of land, which was originally owned by the mother of the petitioner. The second respondent questioned the title of the petitioner herein. As a matter of fact, this quarrel between the petitioner and the second respondent had also led to the registration of a First information Report and a criminal case is also pending. More over a civil suit in O.S.No.354 of 2022 is also pending before the Sub Court, Tirumangalam. When a civil suit and a criminal case are pending between the petitioner and the second respondent, it is not proper to direct the first respondent/Tahsildar to enter into the property and conduct survey. The petitioner may approach the civil court and seek appropriate relief in the civil suit, which is already pending, if at all there is necessity to survey the land.

2. This Writ Petition is dismissed giving liberty to the petitioner herein to approach the Civil Court. As and when the petitioner approaches for appropriate



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relief, the learned Subordinate Judge, Tirumangalam, shall take a decision depending upon the nature of the relief sought for by the petitioner.

3. With the above direction, this Writ Petition is disposed of. No costs.

**20.06.2023**

Index : Yes/No  
Internet : Yes/No  
CM

To,  
The Tahsildar,  
Thirupparankundram Taluk,  
Madurai District.



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**C.V.KARTHIKEYAN, J.**

CM

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