



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.07.2023**

**CORAM**

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

**WP(MD)No.19612 of 2015**

Sundarammal

... Petitioner

**v.**

1.The District Collector,  
Tirunelveli District.

2.The District Revenue Officer,  
Tirunelveli.

3.The Revenue Divisional Officer,  
Tenkasi Revenue Division,  
Tenkasi, Tirunelveli District.

4.The Tahsildar,  
Sivagiri Taluk, Sivagiri,  
Tirunelveli District.

5.Alagusamy

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the fourth respondent to demarcate the land of the petitioner situated in Natham S.No.1562/3, Viswanathaperi Village, Sivagiri Taluk, Tirunelveli District in the light of the representation dated 07.08.2015 within a time frame to be fixed by this Court.



For Petitioner : No appearance

For Respondents : Mr.K.Christy Theboral,  
Additional Government Pleader for R1 to R4

Mr.G.Ravisankar for R5

### **ORDER**

None appears for the petitioner.

2.I went through the contents of the affidavit fled in support of the writ petition. One Krishnan and the fifth respondent are brothers. The petitioner had purchased immovable property vide three registered sale deeds. She applied for survey and demarcation of the lands purchased by her. Since the fifth respondent had raised objection, the authority did not carry out the work of survey and measurements. That led to the filing of this writ petition.

3.It is not in dispute that the fifth respondent filed O.S No.169 of 2005 on the file of the District Munsif cum Judicial Magistrate, Sivagiri for partition. It was dismissed. He filed A.S No.73 of 2008 on the file of the Sub Court, Sankarankovil. That was also dismissed. The learned counsel for the fifth respondent states that Second Appeal has been filed as SA(MD)No.25 of 2022.



As and when the petitioner submits a fresh application for survey and measurement, the fourth respondent shall issue notice to the petitioner and also the fifth respondent. If the fifth respondent is able to show any interim order in his favour in the said second appeal, the Tahsildar, Sivagiri, the fourth respondent is bound to abide by the same. If the fifth respondent is not able to produce any restraint order, the work of survey and measurement shall take place.

4.This writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

**19.07.2023**

Index : Yes / No  
Internet : Yes /no  
skm

To

- 1.The District Collector, Tirunelveli District.
- 2.The District Revenue Officer, Tirunelveli.
- 3.The Revenue Divisional Officer, Tenkasi Revenue Division,  
Tenkasi, Tirunelveli District.
- 4.The Tahsildar, Sivagiri Taluk, Sivagiri, Tirunelveli District.



WEB COPY



**G.R.SWAMINATHAN, J.**

skm

**WP(MD)No.19612 of 2015**

**19.07.2023**