



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 15605 of 2025

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Petitioner(s)

Vs

1.The Tahsildar
Mettur Taluk,
Salem District.

2.The Surveyor
Mettur Taluk,
Salem District.

Respondent(s)

PRAYER

directing the respondents to survey the land and lay the boundary stone to the petitioner's property in S.Nos.212/1C, 212/2, 212/5B, 213/1A, 213/1C, 215/1B,212/1B, 212/3, admeasuring about 3.92 Acres, Patta Nos.680, 737 and 779, property situated at Nangavalli Village, Mettur Taluk, Salem District as per challan dated 17.04.2025.



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WP No. 15605 of 2025



For Petitioner(s): Mr.A.Sathiya Prakash

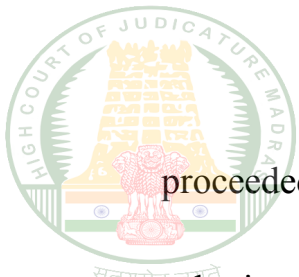
For Respondent(s): Ms.P.Aishwarya, GA

ORDER

The writ miscellaneous petition in W.M.P.No.28903 of 2025 has been filed to grant leave to recall the order passed by this Court in W.P.No.15605 of 2025.

2. The writ petitioner filed this writ petition for a direction to the Revenue Authorities to act upon the online application submitted by the writ petitioner on 17.04.2025, where the petitioner sought for survey of the subject property and for laying of boundaries.

3. When this writ petition was heard by this Court, the writ petitioner did not bring to the notice of this Court that there are pending suits before the competent Civil Court touching upon the subject property. Therefore, this Court



proceeded to direct the Revenue Authorities to act on the online application submitted by the petitioner and to conduct the survey.

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4. When the miscellaneous petition in W.M.P.No.28903 of 2025 came up for hearing on 17.07.2025, this Court passed the following order:

“This petition has been filed to grant leave to recall the order dated 29.04.2025 passed in W.P.No.15605 of 2025.

2. The learned counsel for the petitioner submitted that the writ petitioner had suppressed the fact that two earlier suits are pending in O.S.No.253 of 2021 on the file of Sub Court, Mettur and O.S.No.136 of 2019 which is pending before the learned District Munsif, Mettur. To substantiate the same, the learned counsel relied upon the typed set of papers filed along with this petition.

3. In view of the above, the order passed in the writ petition is kept in abeyance.

4. The learned counsel for the petitioner is directed to serve notice on Mr.A.Sathiya Prakash,



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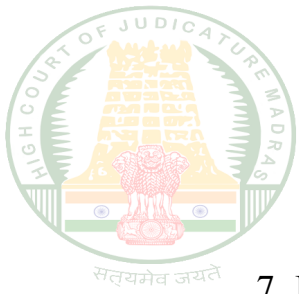


learned counsel who appeared on behalf of the writ petitioner/R1 and also the learned Government Advocate appeared on behalf of the respondents 2 and 3.

5. Post this matter on 31.07.2025.”

5. When the matter was taken up for hearing today, the learned counsel for the writ petitioner submitted that the writ petitioner is an innocent purchaser and the writ petitioner was not aware of the pending suits. That apart, the learned counsel drew the attention of this Court to paragraph 4 of the order, wherein this Court directed such survey to be conducted in the presence of rival parties.

6. In the considered view of this Court, if this Court had been informed about the pending suits, this Court would not have directed the Revenue Authorities to conduct a survey. It is in view of the fact that the dispute is pending in a Civil Court and therefore, the Revenue Authorities cannot interfere till the final disposal of the civil suits.



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7. In view of the above discussion, considering the fact that there are two earlier suits pending in O.S.No.253 of 2021 on the file of the Sub Court, Mettur and O.S.No.136 of 2019 pending on the file of District Munsif Court, Mettur, there is no question of permitting the Revenue Authorities to survey the property. If at all such survey has to be done, the parties must only approach the Civil Court and get appropriate orders. Hence, the orders passed in the writ petition in W.P.No.15605 of 2025 on 29.04.2025, is hereby recalled. It is left open to the parties to workout their remedy in the pending suits.

8. This Writ Petition is disposed of in the above terms. No costs.

31-07-2025

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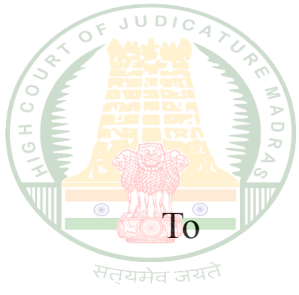
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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WEB COPY To
1.The Tahsildar

Mettur Taluk, Salem District

2.The Surveyor

Mettur Taluk, Salem District



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N.ANAND VENKATESH J.

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