



WEB COPY

WMP No. 34796 of 2025 in WI
No.16209 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WMP No. 34796 of 2025

IN

WP No. 16209 of 2025

Mr.Nandhagopal
S/o Ranganathan
No 125, Ayyanar Koil Street,
Thattampalayam, Melkumaramangalam
Panruti, Cuddalore 607 106

Petitioner(s)

Vs

1. The Tahsildar
Panruti Taluk,
Cuddalore District-607 106

2.The Head Surveyor
Tahsildar Office, Panruti Taluk,
Cuddalore District-607 106

3.P.S.Mohana
W/o.Karthikeyan,
No.5/15, Anna Street, Kasturibai
Nagar, West Tambaram,
Kancheepuram-600045

Respondent(s)



WP No. 16209 of 2025

P.S.Mohana

W/o.Karthikeyan,

No.5/15, Anna Street, Kasturibai Nagar,

West Tambaram,

Kancheepuram-600045

Vs

1. The Tahsildar

Panruti Taluk, Cuddalore District and

another

PRAYER

To recall the order passed in W.P. No.16209 of 2025 dated 30.04.2025.

For Petitioner(s): Mr.M.Manimaran

For Respondent(s): Mr.G.Velu

Additional Government Pleader
for R1 and R2

Mr.V.Janarthanam for R3

ORDER

This petition has been filed to recall the order passed in W.P.No.16209 of 2025 dated 30.04.2025.

2. Heard the respective learned counsel for the parties.

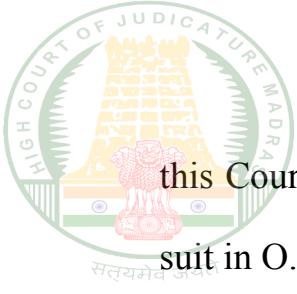
3. The main grievance that was expressed by the learned counsel for petitioner in this petition is that the sale agreement was entered into between the



petitioner and the original owner of the property, namely, Krishnaveni and pursuant to this agreement, out of the total sale consideration, advance amount of Rs.8,50,000/- was paid by the petitioner and the petitioner was also put into possession. While so, the original owner has proceeded to execute the sale deed in favour of the writ petitioner on 26.08.2020. Hence, a suit for specific performance has been filed in O.S.No.131 of 2025 as against the original owner Krishnaveni and the same is pending before the District Court, Cuddalore. Even though the writ petitioner was aware of this fact, the petitioner herein was not added as a party and the order has been obtained from this Court behind the back of the petitioner. It is under these circumstances, the petitioner herein has sought for recalling the order passed in the writ petition.

4. In the considered view of this Court, the writ petitioner is claiming her title over the property by virtue of the registered sale deed dated 26.08.2020, which was registered as Document No.1941 of 2020. Patta has also been issued in the name of the writ petitioner. The petitioner herein is an agreement holder and he has filed the suit for specific performance against the original owner, which is pending before the competent civil Court. Therefore, till the petitioner herein succeeds in the suit, he cannot claim for better right than that of the right of the writ petitioner.

5. However, in order to safeguard the interest of the petitioner herein, it is made clear that the survey will be conducted in line with the order passed by



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this Court in the writ petition and it will be subject to the result in the pending
suit in O.S.No.131 of 2025.

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6. This petition is disposed of in the above terms.

09-09-2025

SS

To

1.The Tahsildar
Panruti Taluk,
Cuddalore District-607 106

2.The Head Surveyor
Tahsildar Office, Panruti Taluk,
Cuddalore District-607 106



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N.ANAND
VENKATESH J.

SS

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