



WEB COPY



W.P.No.37908 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.37908 of 2025
and W.M.P.No.42352 of 2025

Kaliyammal

... Petitioner

-Vs-

1. The District Collector,
District Collector Office,
Salem District.
2. The Tahsildar,
Kadaiyampatti Taluk,
Salem District.
3. The Land Surveyor,
Kadaiyampatti Taluk Office,
Salem District.

4. Sengottuvelu

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 2 and 3 from measuring the land to make sub-division and transfer the patta for the property comprised in Survey No.98/1B, situated at Nachinampatti, Kadaiyampatti Taluk, Salem district, pending disposal of Civil Suit in O.S. No.171 of 2025 before the Learned District Munsif Court, Omalur, Salem District.



W.P.No.37908 of 2025

For Petitioner
For R1 to R3

: Mr.M.Vijayaragavan
: Mr.R.P.Murugan Raja
Government Advocate

ORDER

This Writ Petition has been filed forbearing the respondents 2 and 3 from measuring the land to make sub-division and transfer the patta for the property comprised in Survey No.98/1B, situated at Nachinampatti, Kadayampatti Taluk, Salem district, pending disposal of Civil Suit in O.S. No.171 of 2025 before the Learned District Munsif Court, Omalur, Salem District.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner claims title over the property comprised in Survey No.98/1B, situated at Nachinampatti, Kadayampatti Taluk, Salem district. The petitioner also filed a suit in O.S.No.171 of 2025 and it is pending on the file of the District Munsif Court, Omalur, Salem. In the meanwhile, the fourth respondent herein filed a writ petition before this Court in W.P.No.13994 of 2025 and by an order dated 21.04.2025, obtained direction to deal with the on-line application submitted by him and to pass orders for sub-division and issuance of separate patta.

4. Now, the petitioner sought for injunction as against the second and



W.P.No.37908 of 2025

third respondents from measuring the subject property to make sub-division and transfer of patta in favour of the fourth respondent. It is made clear that though the civil suit is pending, there is absolutely no impediment to survey the subject property, since the survey will be conducted by valid title documents. Further, insofar as the sub-division and transfer of patta are concerned, the second respondent shall conduct an enquiry, after issuance of notice to the parties concerned along with a counter parties if any and dispose of the same on merits and in accordance with law.

5. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

09.10.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J.



W.P.No.37908 of 2025

mn

WEB COPY To

1. The District Collector,
District Collector Office,
Salem District.
2. The Tahsildar,
Kadaiyampatti Taluk,
Salem District.
3. The Land Surveyor,
Kadayampatti Taluk Office,
Salem District.

W.P.No.37908 of 2025

09.10.2025