



WEB COPY



Writ Petition No.41101 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.41101 of 2025

Radha
S/o.Chinnannan

Petitioner

Vs

1.The Tahsildar,
Mettur Taluk, Salem District.

2.The Inspector of Police,
Karumalaikoodal Police Station,
Salem District.

3.Mahendran
S/o.Govinthan

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the respondents 1 and 2 from conducting any survey for the property comprised in Survey No.688A/5D8 to an extent of 8 3/4 cent of land at Gonur, West Village, Mettur Taluk, Salem District till the disposal of the civil suit bearing O.S.No.129 of 2025 on the file of the District Munsif Court, Mettur, in pursuance of the petitioner's representation dated 12.08.2025.

For Petitioner : Mr.C.Deepak Kumar

For Respondents : Mr.D.Ravichander,
Special Government Pleader [R1]
Mr.L.Baskaran,
Government Advocate [R2]



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus forbearing the respondents 1 and 2 to conduct survey in the property on the ground that civil suit is pending.

2. Heard Mr.C.Deepak Kumar, learned counsel for petitioner, Mr.D.Ravichander, learned Special Government Pleader appearing for first respondent and Mr.L.Baskaran, learned Government Advocate appearing for second respondent.

3. In the considered view of this Court, if civil suit is pending before the Court and survey is sought to be conducted, the petitioner has to obtain necessary orders before the civil Court. Unless the same is done, the authorities cannot be prevented from conducting survey. In any case, the jurisdiction under Article 226 of the Constitution of India cannot be used for the purpose of getting an interim relief when the substantial remedy is pending before the civil Court. Hence, it is left open to the petitioner to approach the civil Court and seek necessary relief. Except giving this clarity, no further orders can be passed in this writ petition.

This writ petition is disposed of in the above terms. No costs.



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Index:yes/no

Speaking order/Non-speaking order

Neutral citation: yes/no

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To

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Mettur Taluk, Salem District.

2.The Inspector of Police,
Karumalaikoodal Police Station, Salem District.

N.ANAND VENKATESH, J.



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