



W.P.No. 44402 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.44402 of 2025

K.Selvaraj

.... Petitioner

Vs

1.The District Collector
Collectorate
Tiruppur District
Tiruppur.

2.The Tahsildar
Office of the Tahsildar
Tiruppur South Taluk
Tiruppur.

3.The Taluk Surveyor
Office of the Tahsildar
Tiruppur South Taluk
Tiruppur.

4.S.Yuvaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to defer the process of surveying the property measuring an extent of 0.44 ½ Acre in Survey No.471/3A3A1A (Patta No.4376) in Kandiankovil Village, Tiruppur



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South Taluk, Tiruppur District, till the disposal of the suit in O.S.No.303 of 2025 on the file of the learned Principal Subordinate Court, Tiruppur, by conducting proper enquiry and pass orders.

For Petitioner : Mr.N.S.Suganthan

For Respondents : Mr.D.Ravichander
Special Government Pleader for R1 to R3

ORDER

This writ petition has been filed for issue of Writ of Mandamus forbearing the respondents 1 to 3 from surveying the subject property, pending disposal of the suit in O.S.No.303 of 2025 on the file of Principal Sub Court, Tiruppur.

2. Heard Mr.N.S.Suganthan, learned counsel appearing for the petitioner and Mr.D.Ravichander, learned Special Government Pleader appearing on behalf of respondents 1 to 3.

3. It is seen from the records that the fourth respondent herein has filed a writ petition in W.P.No.1613 of 2025 seeking for survey of the property and this writ petition was disposed of by an order dated 27.01.2025 in the following terms :



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“4. Considering the facts and circumstances of the case, a mandamus is issued to the first and second respondents to conduct survey of the petition mentioned property and to fix the boundary stones. The petitioner shall submit all the relevant records to show his title to the property and the respondents shall hold an enquiry after issuing notice to the adjacent land owners and interested parties, and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.”

4. Pursuant to the above, an attempt was made to survey the property and at that point of time, the petitioner had resisted the same stating that a suit is pending between the same parties in O.S.No.303 of 2025 on the file of Principal Sub Court, Tiruppur. It is in this circumstances, the present writ petition came to be filed before this Court.

5. In the considered view of this Court, the petitioner is objecting to survey the property based on the pending suit. When the earlier order was



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passed by this Court in W.P.No.1613 of 2025, this Court had only directed the respondents 1 and 2 to take a decision regarding the survey of the property and to pass appropriate orders within a time frame. Now, the petitioner has submitted his objection. Therefore, the objection submitted by the petitioner shall be considered by the second and the third respondents while taking a decision. This observation will sufficiently take care of the grievance expressed by the petitioner.

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

19.11.2025

Index : Yes / No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

To:

1.The District Collector
Collectorate
Tiruppur District
Tiruppur.

2.The Tahsildar
Office of the Tahsildar
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3.The Taluk Surveyor
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N. ANAND VENKATESH., J

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