



W.P.(MD) No.1318 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.1318 of 2025

A.Lakshmiyammal

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Petitioner

Vs

1 The District Collector,
Thoothukudi District,
Thoothukudi.

2 The Revenue Divisional Officer,
Thoothukudi District,
Thoothukudi.

3 The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.

4 The Surveyor,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.

5. Alagarsamy

6. Radhakrishnan

7. Kanagaraj

...

Respondents



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(Respondents 5 to 7 are impleaded
vide court order, dated 30.06.2025,
passed in W.M.P.(MD) No.8586 of 2025)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 1 to 4 to survey and demarcate an entire extent land of 1.32 Acres for the S.No. 133/16, which is now after UDR, subdivided into different extents in the S.No.133/16A, 133/16B, 133/16C, 133/16D, 133/16E, 133/16F and 133/17, including the S.No.133/18, which is wrongly mentioned as government poromboke, though it was covered in the S.No.133/16, with an extent of 1.32 Acres in Nakkalamuthanpatti Revenue Village, Kovilpatti Taluk, Thoothukudi District, according to the contemplated provisions of the Tamil Nadu Survey and Boundaries Act.

For Petitioner : Mr.F.X.Eugene

For Respondents 1 to 4 : Mr.M.Gangatharan,
Govt. Advocate.

For Respondents 5 to 7 : Mr.S.Ramesh alias Ramiah



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ORDER

The Writ Petition is filed, seeking issuance of writ of mandamus, directing the respondents 1 to 4 to survey and demarcate the entire land with an extent of 1.32 Acres in Survey No.133/16, which is now subdivided as Survey Nos.133/16A, 133/16B, 133/16C, 133/16D, 133/16E, 133/16F and 133/17, including the S.No.133/18, in Nakkalamuthanpatti Revenue Village, Kovilpatti Taluk, Thoothukudi District.

2. The petitioner herein claims right over the entire extent of land in Survey No.133/16. In respect of a portion of the land in the said survey number, the petitioner filed a civil suit in O.S.No.166 of 1997 on the file of Additional District Munsif, Sankarankoil, seeking declaration of title and injunction against the fifth respondent herein. The said suit was dismissed by the trial Court. Aggrieved by the same, the petitioner filed an appeal in A.S.No.61 of 2003 on the file of Sub-Court, Sankarankoil. The first appellate Court confirmed the findings of the trial court. Challenging the said findings, the petitioner preferred second appeal in S.A.No.1084 of 2005 before this court and the same is pending. In view of the pendency of the second appeal, in respect of a portion of the property sought to be surveyed, this Court is not inclined to issue any direction to the respondents at this stage.



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3. Accordingly, the Writ Petition stands disposed of, with liberty to the petitioner to work out her remedy in the pending Second Appeal. It is open to the petitioner to approach the respondents, seeking survey of the property, based on the findings in the Second Appeal. No costs. Consequently, the connected W.M.P.(MD) No.890 of 2025 is closed.

30.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

dixit

To:

- 1 The District Collector,
Thoothukudi District,
Thoothukudi.
- 2 The Revenue Divisional Officer,
Thoothukudi District,
Thoothukudi.
- 3 The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.



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- 4 The Surveyor,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.



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S.SOUNTHAR, J.

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