



W.P.(MD).Nos.884 and 2263 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P(MD)Nos.884 and 2263 of 2023

and

W.M.P(MD) No.836 of 2023

W.P(MD) No.884 of 2023:

Babu

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Thirumangalam Taluk,
Madurai District.
3. The Tahsildar,
Office of the Tahsildar Office,
Thirumangalam Taluk,
Madurai District.
4. The Land Surveyor,
Office of the Land Surveyor Office,
Thirumangalam Taluk,
Madurai District.



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5. The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
Madurai District.

6. Regupathy

7. Chandrasekar

8. Ramaraj

9. Dhanasekar

10. Kannan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 and 3 herein to grant patta in respect of property situated in Madurai District, Madurai South, Thirumangalam Taluk, Thirali Pit-I Village in patta No.428 in Punja land in Resurvey No.223/3 to an extent of 0.23.5 areas (58 cents) in which only the land in extent 12 cents alone for granting a patta by conducting in enquiry of petitioner's patta application No.Na.Ka.No. 3079/2022 and consequently forbearing the fourth respondent herein not to survey the property in favour of the 10th respondent herein by considering the petitioner's representation dated 04.01.2023, in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi



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For R1 to R4 : Mrs.K.Malathi
Additional Government Pleader

For R5 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

For R10 : Mr.R.G.Shankar Ganesh

For R6 to R9 : No appearance

W.P(MD) No.2263 of 2023:

V.Kannan

Vs.

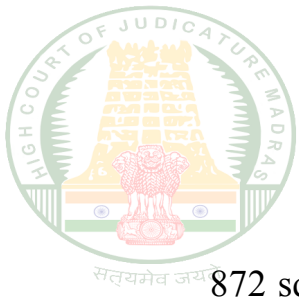
... Petitioner

1. The Revenue Divisional Officer/
Executive Magistrate
Thirumangalam,
Madurai District.
2. The Tahsildar,
Thirumangalam Taluk,
Madurai District.
3. The Surveyor,
Thirumangalam Taluk,
Madurai District.

4. Babu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to survey, measure, demarcate the properties comprised in S.No. 223/3A3B, 223/4C2, 223/7A1A, to an extent of 6909 sq.feet, 9810 sq.feet,



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872 sq.feet situated at Thirali Village, Thirumangalam Taluk, Madurai on the basis of the sale deed dated 07.07.2021 vide document No.4822/2021.

For Petitioner : Mr.Shankar Ganesh R.G

For R1 to R3 : Mrs.K.Malathi
Additional Government Pleader

COMMON ORDER

W.P(MD) No.884 of 2023 has been filed seeking a direction to the respondents 2 and 3 herein to grant patta in respect of the property situated in S.No. No.223/3 to an extent of 0.23.5 areas (58 Cents) at Thirali Pit-I Village, Thirumangalam Taluk, Madurai South, Madurai District and also prevent the fourth respondent from surveying the property in favour of the 10th respondent.

2. The 10th respondent in W.P(MD) No.884 of 2023 has filed Writ Petition in W.P.(MD) No.2263 of 2023 seeking a direction to the respondents 1 to 3 to survey the properties situated in S.No.223/3A3B, 223/4C2, and 223/7A1A at Thirali Village, Thirumangalam Taluk, Madurai District.



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3. The petitioner in W.P(MD) No.2263 of 2023 and the 10th respondent in W.P(MD) No.884 of 2023, namely, Kannan claims right over the property under the Sale Deed dated 07.07.2021. The validity of the said sale deed is very much under dispute in a civil suit instituted by the petitioner in W.P(MD) No.884 of 2023 in O.S.No.13 of 2023 on the file of the District Munsif Court, Thirumangalam. The said suit was instituted with a prayer that sale deed in favour of the above mentioned Kannan was null and void and for consequential injunction restraining the said Kannan and other defendants from interfering with the plaintiff's possession and enjoyment of the property. When the validity of the sale deed in favour of the above mentioned Kannan is very much excluded in the civil suit instituted by the petitioner in W.P(MD) No.884 of 2023 this Court is not inclined to entertain in the Writ Petition in W.P(MD) No.2263 of 2023 filed by him seeking to survey the property.

4. Likewise, in view of the civil dispute between the petitioner in both the writ petitions, the writ petition filed by the petitioner in W.P(MD) No.884 of 2023 cannot be entertained at this stage by issuing a direction to the respondents to grant patta in favour of the petitioner. Therefore, both the Writ



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Petitions are dismissed with liberty to the petitioners to approach the revenue authorities after culmination of above said civil suit. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

18.08.2025

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

1. The District Collector,
Office of the District Collector,
Madurai District, Madurai.
2. The Revenue Divisional Officer/
Executive Magistrate,
Office of the Revenue Divisional Office,
Thirumangalam Taluk,
Madurai District.
3. The Tahsildar,
Office of the Tahsildar Office,
Thirumangalam Taluk,
Madurai District.



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4. The Land Surveyor,
Office of the Land Surveyor Office,
Thirumangalam Taluk,
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5. The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
Madurai District.



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S.SOUNTHAR, J.

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