



WA(MD). No.1160 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 30/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU

AND

THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

**WA(MD). No.1160 of 2025
and CMP(MD) No.7268 of 2025**

Thangapalam

... Appellant

v.

1.A.Tamilmaran

2.The Tahsildar
Lalgudi Taluk Office,
Lalgudi, Trichy District

3.The Head Surveyor,
Lalgudi Taluk Office,
Lalgudi, Trichy District

4.The Inspector of Police,
Samayapuram Police Station,
Samayapuram, Trichy District

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against
the order of this Court dated 18.09.2024 in WP(MD). No.22150 of 2024.

For Appellants : Mr.T.Leninkumar

For Respondents : Mr.K.Arunraj for R1

Mrs.D.Farjana Ghoushia for R2&R3
Special Government Pleader



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WA(MD). No.1160 of 2025

Mr.A.Albert James for R4
Government Advocate

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The writ appeal is directed against the order of the writ Court dated 18.09.2024 in WP(MD) No.22150 of 2024.

2. The private respondent/4th respondent in the writ petition is the appellant herein.

3. The writ petition has been filed by the 1st respondent herein, for a mandamus to direct the respondents therein to survey the petitioner's property in S.No.116/1C based on his representation dated 02.08.2024 and also to provide police protection. The writ Court, considering the prayer sought for, directed the official respondents to conduct survey and mark the boundaries of the property in question and the petitioner was directed to submit all the relevant records to show her title and such survey shall be conducted after issuing notice to the adjacent land owners and after holding proper enquiry.



WA(MD). No.1160 of 2025

4. The appellant herein is the cultivating tenant in the petition mentioned property and his contention is that in order to evict him from the property, the writ petition has been filed and without issuing notice to the appellant herein, the writ Court passed an order and hence, he is before this Court with this appeal.

5. It is submitted by the learned Special Government Pleader for the respondents that in respect of the subject property, suit is pending between the properties.

6. Since a suit is pending between the parties, this Court is not inclined to entertain this writ appeal and the appellant is at liberty to agitate his rights/ventilate his grievance in the pending suit before the concerned Court. Accordingly, the writ appeal is dismissed confirming the order of the writ Court. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

30.04.2025

NCC : Yes/No

Index : Yes/No

3/5



RR

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To

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WA(MD). No.1160 of 2025



WEB COPY



WA(MD). No.1160 of 2025

J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.1160 of 2025

Date : 30/04/2025