



W.P.(MD)No.3398 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.02.2025

CORAM:

THE HON'BLE MR.JUSTICE P.B. BALAJI

W.P.(MD).No.3398 of 2025

and

W.M.P(MD).Nos.2401 and 2402 of 2025

Beer Mohammed

... Petitioner

Vs.

1. The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

2. The Town Sub Inspector (Land Survey),
Municipality Office, Aranthangi,
Pudukottai District.

3. The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

4. Mohideen Thatha

5. Arunagiri

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the impugned survey notice under FLA No.42/43 dated 10.01.2025 on the file of the 2nd respondent and to quash the same as illegal and further direct the parties to approach the civil forum.



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For Petitioner	: Mr.V.Vijayendran
For R1 and R2	: Mr.B.Saravanan Additional Government Pleader
For R3	: Mr.S.Vaikkam Karunanithi Government Advocate

ORDER

Mr.B.Saravanan, learned Additional Government Pleader takes notice on behalf of the respondents 1 and 2. Mr.S.Vaikkam Karunanithi, learned Government Advocate takes notice on behalf of the 3rd respondent.

2. Considering the limited relief sought for in the writ petition, with the consent of the parties, the writ petition is taken up for final disposal.

3. Though the petitioner seeks for issuance of a certiorari challenging the survey enquiry notice, the learned Additional Government Pleader appearing for the respondents 1 and 2 would invite my attention to a communication dated 27.01.2025 and submits that a survey has been conducted on 28.01.2025 and the boundaries has been fixed.



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4. However, learned counsel for the petitioner seeks clarification with regard to the observations made by the Tahsildar Aranthangi that the surveyor has only fixed the boundary stones and with respect to title dispute or possession of the property, the same shall be decided only by the Civil Court. The same is recorded and it is open to the parties to work out their respective rights in the pending litigation.

5. The writ petition stands disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

06.02.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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P.B.BALAJI, J.

rgm

To

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