



W.P.(MD)No.8314 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.8314 of 2025

Sakthivel

.... Petitioner

/Vs./

1. The Tahsildar
Taluk Office,
Dindigul, Dindigul District.

2. Angusaradhamani Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to survey the land situates in S.No.166 measuring 61 cents in Kamatchipuram Village, Kannivadi, Dindigul and issue patta by providing Sub-Division based on the sale deed dated 12.05.1992 in Doc No.453/92.

For Petitioner : Mr.N.Mohan

For R1 : Mrs.K.Malathi
Additional Government Pleader



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ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to conduct survey, sub-division and issue patta based on the petitioner's application dated 19.12.2024.

2. With the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal, even at the stage of admission.

3. I have heard the learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing for the first respondent.

4. The petitioner has fairly disclosed the pendency of the civil suit in O.S.No.366 of 2014 filed by the second respondent. According to the petitioner, the second respondent has no right to seek partition, and the second respondent has suppressed the existence of Will favouring the petitioner. However, all these matters are subject matter of the pending civil suit and the survey authorities cannot proceed to conduct any



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survey, pending substantial. Issues are yet to be decided by a competent civil Court that too, in a pending civil suit. Therefore, giving liberty to the petitioner to make an appropriate application in the pending suit in O.S.No.366 of 2014 to seek appointment of Advocate Commissioner to survey the property with the assistance of the Taluk Surveyor.

5. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

25.03.2025

To

The Tahsildar
Taluk Office,
Dindigul, Dindigul District.

P.B. BALAJI, J.

am



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Order made in
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Dated:
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