



W.P(MD)NO.7674 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.7674 of 2023
and
W.M.P(MD)No.7138 of 2023

1.Muthupandi

2.Poolpandi

3.Palaniappan

... Petitioners

.Vs.

1.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

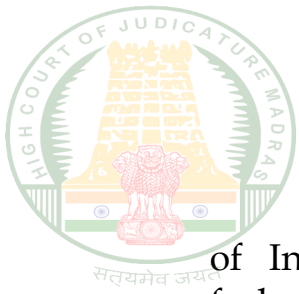
2.The Taluk Head Surveyor,
Kayathar Taluk,
Thoothukudi District.

3.The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.

4.P.Subbaiah Thevar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution



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of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 1 and 2 from surveying the land in S.F.Nos.1402/11, 1407/3, 1403/1M,1401/2A,1403/1C, 1403/1K, 1401/1C, 1400/2C, 1401/F, 1407/6, 1402/14, 1406/1, 1402/9, 1403/1,1402/15, 1402/17 1399/1A, 1401/1A, 1402/12, 1403/1P, 1407/4,1402/18,1403/1Q and 1402/8 situated at Kayatharu Taluk, Ayyanaroothu Post, Thoothukudi District and not to make any changes in the revenue records, till the disposal of the suit pending before the District Munsif Court, Kovilpatti in O.S.No. 225 of 2022.

For Petitioners : M/s.V.Vilma Remy

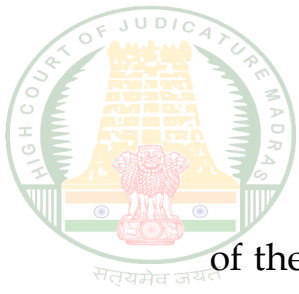
For Respondents : Mr.A.Baskaran
1 and 2 Addl.Govt. Pleader

For Respondent-3 : Mr.M.Vaikkam Karunanithi
Govt.Advocate(Crl.Side)

For Respondent-4 : No appearance

ORDER

The Writ Petition is filed seeking issuance of a Writ of Mandamus forbearing the respondents 1 and 2 from surveying the land in S.F.Nos.1402/11, 1407/3, 1403/1M,1401/2A,1403/1C, 1403/1K,1401/1C, 1400/2C, 1401/F, 1407/6, 1402/14, 1406/1, 1402/9, 1403/1,1402/15, 1402/17 1399/1A, 1401/1A, 1402/12, 1403/1P, 1407/4,1402/18,1403/1Q and 1402/8 situated at Kayatharu Taluk, Ayyanaroothu Post, Thoothukudi District and not to make any changes in the revenue records, till the disposal



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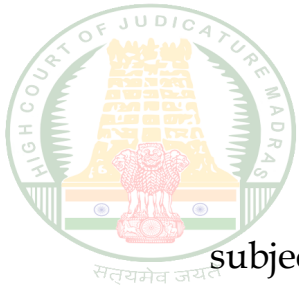
of the suit pending before the District Munsif Court, Kovilpatti in
O.S.No.225 of 2022.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.According to the Petitioners, the subject properties were self acquired properties of Petitioners' and fourth respondent's grand father and great grand father. Since the fourth respondent attempted to interfere with the Petitioners alleged possession, a civil suit was filed by the Petitioners in O.S.NO.225 of 2022, on the file of District Munsif Court, Kovilpatti seeking injunction. When the civil suit was pending, the fourth respondent attempted to survey the property by making application before the official respondents. Therefore, the petitioners filed the instant Writ Petition for the relief stated supra.

4.When the Writ Petition is taken up for hearing today the learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the subject properties have already been surveyed pursuant to the direction issued by this Court in many Writ Petitions.

5.The Petitioners herein seeks a direction not to survey the



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subject properties pending disposal of the civil suit filed by them.

Therefore, admittedly, the petitioners moved the Civil Court seeking certain relief against the fourth respondent.

6.In such circumstance, it is for them to move interim application for necessary relief in the pending civil litigation. This Court is not inclined to entertain this Writ Petition filed for a relief, pending civil suit.

7.With the liberty to move Civil Court, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

10.07.2025

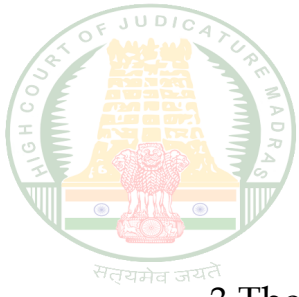
NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

1.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

2.The Taluk Head Surveyor,
Kayathar Taluk,
Thoothukudi District.

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3. The Inspector of Police,
Kayathar Police Station,
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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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