

W.A.(MD)No.1774 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1774 of 2025
and
C.M.P.(MD)No.10048 of 2025**

Chandran

... Appellant

Vs.

1. R.Mayilvakanam
2. The District Collector
Ramanathapuram,
Ramanathapuram District.
3. The District Revenue Officer
Ramanathapuram,
Ramanathapuram District.
4. The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
5. The Tahsildar
Ramanathapuram,
Ramanathapuram District.



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6. The Inspector of Land Survey
Ramanathapuram,
Ramanathapuram District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.13130 of 2025 dated 29.04.2025 on the file of this Court.

For Appellant : Mr.G.Prabhu Rajadurai

For Respondents : Mr.N.Ramesh Arumugam,
Govt. Advocate for R2 to R6.
Mr.K.Ragatheesh Kumar,
For M/s.Isaac Chamber for R1.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.This writ appeal is directed against the order dated 29.04.2025 made in W.P.(MD)No.13130 of 2025 filed by one Mayilvakanam. The said Mayilvakanam had approached the Writ Court for conducting survey in respect of the petition mentioned land. The learned Single Judge vide



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order dated 29.04.2025 disposed of the writ petition in the following

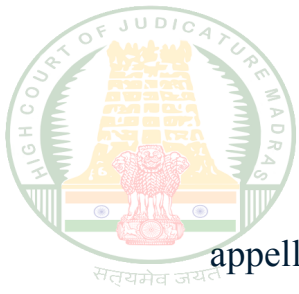
WEB COPY terms:-

“3.On going through the application dated 28.03.2025, the petitioner's request is only for subdivision of land. The learned Government Advocate on instructions submits that vide T.R.No.2025/27/11/ 002376SD dated 28.04.2025, subdivision also been effected and patta has already been mutated in the name of the petitioner.

4. However, the petitioner now seeks for survey also. Therefore, it shall be open to the petitioner to make an application for survey and remit the charges for survey. If any such application being made, the respondents shall proceed to dispose of the said survey application by conducting survey in accordance with law, within a period of sixteen weeks thereafter. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.”

Aggrieved by the same, this third party writ appeal has been filed.

3.It appears that the appellant is in possession of 6 ½ cents of land in the said survey number by constructing a house and in respect of the remaining portion, the appellant claims that he planned coconut trees. The appellant however has document only for 6 ½ cents of land. The



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appellant undertakes to go before the jurisdictional civil court to establish his case. Since the appellant undertakes to go civil court within 30 days, we are of the view that the order of the learned Single Judge deserves to be set aside. It is accordingly set aside and the writ appeal is allowed. If the appellant fails to file a civil suit within the time limit undertaken above, the order of the learned Single Judge can be given effect to. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.,) & (K.R.S. J.,)
30.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

1. The District Collector
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4. The Tahsildar
Ramanathapuram,
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5. The Inspector of Land Survey
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