



W.P(MD)NO.17830 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 01.07.2025

CORAM:

**THE HON'BLE MR JUSTICE S.SOUNTHAR**

**W.P(MD)No.17830 of 2025**

**and**

**W.M.P(MD)No.13652 of 2025**

R.Sri Ramajayam

... Petitioner

.Vs.

1.The District Collector,  
Thanjavur District.

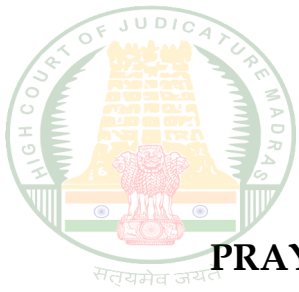
2.The Tahsildar,  
Taluk Office,  
Mayiladuthurai Main Road,  
Thiruvidaimarudhur Post,  
Thanjavur District.

3.The Taluk Surveyor,  
Thiruvidaimarudhur Taluk,  
Thanjavur District.

4.The Sub-Inspector(in charge),  
Thiruvidaimarudhur Taluk,  
Thanjavur District.

5.Janarthani

... Respondents



W.P(MD)NO.17830 of 2025

WEB COPY

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the Information Notice -3, dated 25.5.2025 of the fourth respondent herein in respect of the properties in S.Nos.724/9, 724/12 and 724/13 situated at Veppathur No.2 Village, Thiruvudaimarudhur, Thanjavur District and quash the same.

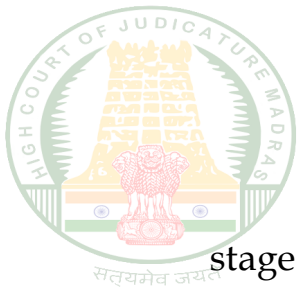
For Petitioner : M/s.AL.Gandhimathi  
Senior Counsel  
for Mr.C.Mahadevan

For Respondents : M/s.K.Malathi  
1 to 4 Addl.Govt. Pleader

### **ORDER**

The Writ Petition is filed challenging the survey notice issued by the fourth respondent, dated 25.06.2025 seeking to survey the property in S.Nos.724/9, 724/12 and 724/13 situated at Veppathur No.2 Village, Thiruvudaimarudhur, Thanjavur District

2.Mrs.K.Malathi, learned Additional Government Pleader takes notice for the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission



W.P(MD)NO.17830 of 2025

WEB COPY

stage itself. Since no adverse orders are passed, notice to 5<sup>th</sup> respondent is dispensed with.

3. According to the Petitioner, the subject property originally belong to one Rukmani Ammal and she entered into a agreement of sale with the Petitioner's father Raman on 20.09.2023. On the date of sale agreement, possession was handed over to the Petitioner's father and thus the Petitioner claims possession and enjoyment of the property from the year 1993. The above said vendor of the Petitioner's father Rukmani refused to execute the sale deed pursuant to the sale agreement and hence, the Petitioner's father Raman filed a civil suit for specific performance and for permanent injunction restraining the defendant therein from encumbering the property in O.S.No.63 of 2019, on the file of District Munsif-cum-Judicial Magistrate, Thiruvidadaimarudhur. The said suit was dismissed and challenging the decree passed in that suit, an appeal was filed by the Petitioner's father in A.S.NO.77 of 2024, on the file of Principal Sub-Court, Kumbakonam. Subsequently, father of the Petitioner died. The Petitioner was brought on record in the civil litigations. It is also stated that the fifth respondent claiming herself as purchaser from one T.S.Govindrajan attempted to interfere with the possession of the Petitioner and his father and hence, a suit



W.P(MD)NO.17830 of 2025

WEB COPY

was filed against the fifth respondent in O.S.No.447 of 2019, on the file of District Munsif-cum-Judicial Magistrate, Thiruvidadaimarudhur seeking injunction. The said suit was dismissed. Aggrieved by the same, the Petitioner preferred an appeal in A.S.No.9 of 2022, on the file of Principal Sub-Court, Kumbakonam and the same is pending. While the civil litigations between the parties are pending, the fifth respondent herein filed a Writ Petition in W.P(MD)No.11149 of 2025 seeking survey of the subject property without impleading the Petitioner. The said Writ Petition was allowed, directing the respondents 2 and 3 therein to survey the property. Pursuant to the said direction, the present impugned notice has been issued by the fourth respondent seeking to survey the property.

4.The learned Senior Counsel for the Petitioner would submit that the fifth respondent under the guise of surveying the property, making an attempt to dispossess the Petitioner and hence, the notice issued by the fourth respondent seeking survey of the property, pending civil litigation is liable to be quashed.

5.Mere survey of the property will not result in dispossession of any of the party. The right of the Petitioner as well as the fifth respondent over the subject property and the



W.P(MD)NO.17830 of 2025

possession has to be decided by the competent Civil Court in the pending civil litigation. Therefore, it is clarified that the survey of the property by the fourth respondent will not result in dispossession of any of the parties and the right of the parties will not be affected by mere survey conducted by the fourth respondent. The right of the Petitioner as well as the fifth respondent will be decided in the pending civil litigation. Hence, this Court is not inclined to interfere with impugned survey notice.

6.With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

**01.07.2025**

NCS : Yes/No

Index : Yes / No

Internet : Yes / No

vsn

To

1.The District Collector,  
Thanjavur District.

2.The Tahsildar,  
Taluk Office,  
Mayiladuthurai Main Road,

5/7



W.P(MD)NO.17830 of 2025

WEB COPY

Thiruvidadaimarudhur Post,  
Thanjavur District.

- 3.The Taluk Surveyor,  
Thiruvidadaimarudhur Taluk,  
Thanjavur District.
- 4.The Sub-Inspector(in charge),  
Thiruvidadaimarudhur Taluk,  
Thanjavur District.

**S.SOUNTHAR.,J.**

vsn

**ORDER MADE IN**

**W.P(MD)No.17830 of 2025**



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