



W.P.(MD) No.18260 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.18260 of 2025

C.Rajendran

...

Petitioner

Vs

1 The District Collector,
Pudukkottai District,
Pudukkottai.

2 The District Revenue Officer,
Pudukkottai,
Pudukkottai District.

3 The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.

4 The Deputy Superintendent of Police,
Pudukkottai,
Pudukkottai District.

5 M.Nathappan Udayar

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the 3rd respondent not to conduct survey in respect of SF Nos.279/7 A to J and 278/2A and 278/2B



W.P.(MD) No.18260 of 2025

WEB COPY

situated at Perunkondan Viduthi Village, Pudukottai District, till the disposal of the suit in O.S.No.161/2019, pending on the file of learned Principal Sub Judge, Pudukottai.

For Petitioner : Mr.N.Kamesh

For Respondents 1 to 3 : Mr.A.Baskaran,
Addl. Govt. Pleader.

For Respondent 4 : Mr.M.Vaikkam Karunanithi,
Govt. Advocate (Crl.Side).

ORDER

The petitioner herein seeks a direction to the third respondent not to conduct survey in respect of S.F.Nos.279/7 A to J and 278/2A and 278/2B situated at Perunkondan Viduthi Village, Pudukottai District, till the disposal of the suit in O.S.No.161/2019, pending on the file of learned Principal Sub-Judge, Pudukottai.

2. Admittedly, the petitioner filed a civil suit in O.S.No.161 of 2019 on the file of Principal Sub-Court, Pudukottai, seeking declaration and injunction against one Murugesan and three others. The second defendant/fifth respondent herein filed an application before the official respondents, seeking survey of the property situated in Survey No.279/2A, which was shown as seventh item in the plaint schedule. Since the official



W.P.(MD) No.18260 of 2025

WEB COPY

respondents attempted to survey the property, the petitioner has come before this Court, seeking the above mentioned prayer.

3. When the civil suit filed by the petitioner is pending, it is for the petitioner to move appropriate application against the fifth respondent herein in the pending suit, seeking appropriate relief. This Court is not inclined to grant the relief sought in this Writ Petition, when the civil suit is pending before the civil court.

4. Accordingly, the Writ Petition stands dismissed, with liberty to the petitioner to work out his remedy in the pending civil litigation. No costs.

04.07.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

dixit

To:

- 1 The District Collector,
Pudukkottai District,
Pudukkottai.
- 2 The District Revenue Officer,
Pudukkottai,
Pudukkottai District.



W.P.(MD) No.18260 of 2025

WEB COPY

- 3 The Tahsildar,
Pudukkottai Taluk,
Pudukkottai District.
- 4 The Deputy Superintendent of Police,
Pudukkottai,
Pudukkottai District.



WEB COPY



W.P.(MD) No.18260 of 2025

S.SOUNTHAR, J.

dixit

W.P.(MD) No.18260 of 2025

04.07.2025