



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.08.2025

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.18854 of 2025

Thangavel

... Petitioner

Vs

1.The Tahsildar,
Kadavur Taluk,
Kadavur, Karur District.

2.The Head Surveyor,
Kadavur Taluk,
Kadavur, Karur District.

3.The Inspector of Police,
Palaveduthi Police Station,
Karur District.

4.Rajendran

5.Ramkumar

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Mandamus**, directing the respondents 1 and 2 to survey the properties in Survey Nos.481/1C1, Sembianatham Village, Kadavur Taluk, with police protection by considering and disposing the online application No. 2025/0123/14/003706, dated 17.03.2025, within stipulated time.



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For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 & R2
Mr.M.Vaikkam Karunanithi
Government Advocate(crl.side) for R3
Mr.M.Thirunavukkarasu for R4 & R5

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ORDER

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to survey the property situated in S.No.481/1C1, in Sembianatham Village, Kadavur Taluk, Karur District, by considering the petitioner's online application dated 17.03.2025.

2.Heard the arguments of Mr.T.A.Ebenezer, learned Counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for R1 and R2, Mr.M.Vaikkam Karunanithi(Crl.side), learned Government Advocate for R3 and Mr.M.Thirunavukkarasu, learned Counsel for R4 & R5.

3.According to the learned Counsel appearing for the Writ Petitioner, the subject property was settled by the petitioner's father and the patta for the same stood in his name. He submitted an application to survey the property and the same has not been considered. Hence, he has come before this Court.



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4.The learned Counsel appearing for R4 and R5 would submit that the 5th respondent has got easementary rights over the cart track situated on the north of the property purchased by the petitioner's father under a sale deed dated 18.03.1983. He also submitted that the 5th respondent already filed a civil suit in O.S.No.124 of 2025, on the file of the District Munsif Court, Kulithalai, seeking declaration that the suit 'B' schedule cart track, which is the subject matter of the writ petition, belongs to the 5th respondent and also for consequential injunction. The 5th respondent also filed an application in I.A.No. 3 of 2025 in O.S.No.124 of 2025, for appointment of Surveyor to measure the property situated in S.No.481/1C1 and 481/1C2. In view of the said application, the writ petitioner can very well workout his remedy before the civil Court. The writ petitioner is arrayed as the first defendant in the suit filed by the 5th respondent. In such circumstances, the petitioner can very well workout his remedy in the application filed by the 5th respondent seeking survey of the subject property. Therefore, this Court is not inclined to issue any direction to the respondents.



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5. Accordingly, this Writ petition stands disposed of by directing the petitioner to work out his remedy before the civil Court. No costs.

25.08.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Tahsildar,
Kadavur Taluk,
Kadavur, Karur District.

2. The Head Surveyor,
Kadavur Taluk,
Kadavur, Karur District.

3. The Inspector of Police,
Palaveduthi Police Station,
Karur District.



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S.SOUNTHAR, J.

RJR

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