



W.P(MD)NO.19116 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.19116 of 2025
and
W.M.P(MD)No.14675 of 2025

R.Alagarsami

... Petitioner

.Vs.

- 1.The District Collector,
Collectorate,
Madurai.
- 2.The District Revenue Officer,
Collectorate,Madurai.
- 3.The Tahsildar,
Office of the Tahsildar,
Peraiyur Taluk,
Madurai District.
- 4.The Block Development Officer,
Sedapatti Panchayat Union,
Madurai District.
- 5.The Taluk Sub-Inspector of Survey,
Peraiyur Taluk,
Madurai District.



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6.The Village Administrative Officer,
Saptur Villasge,
Peraiyur Taluk,
Madurai District.

7.Gurusami

8.Tamizhselvan

9.Sundaramoorthi

10.Senthattinanban ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 6 not to survey the property in S.No.203/3, 203/4 and 203/5 situated at Saptur Village, Peraiyur Taluk, Madurai District till the disposal of the civil suit in O.S.No. 36 of 2025, pending on the file of learned District Munsif cum Judicial Magistrate Court at Peraiyur Madurai District.

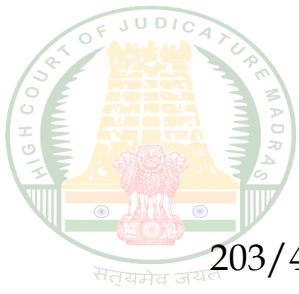
For Petitioner : Mr.M.Suresh

For Respondents : Mr.A.Baskaran
1 to 3, 5 and 6 Addl.Govt.Pleader

For Respondent-4 : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The Writ Petition is filed seeking a direction to the respondents 1 to 6 not to survey the property in S.Nos.203/3,



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203/4 and 203/5 situated at Saptur Village, Peraiyur Taluk, Madurai District till the disposal of the civil suit in O.S.No.36 of 2025, on the file of learned District Munsif cum Judicial Magistrate Court at Peraiyur, Madurai District.

2.Mr. A.Baskaran, learned Additional Government Pleader takes notice for the respondents 1 to 3, 5 and 6 and Mr.D.S.Nedunchezian, learned Government Advocate takes notice for the fourth respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.A reading of the Petitioner's representation, dated 20.5.2025 included in the typed-set of papers would indicate that the second respondent passed an order restoring the car track that was detailed in the revenue records prior to UDR up-dation by his order, dated 22.1.2025. Aggrieved by the said order, the Petitioner instituted a suit in O.S.No.36 of 2025, on the file of the District Munsif cum Judicial Magistrate, Peraiyur, Madurai District seeking declaration of title of the Petitioner and for consequential injunction in respect of the property in S.Nos.203/3, 203/4 and 203/5. Since the private respondents filed an application before the third respondent seeking survey of the subject property, the Petitioner has come before this Court with the instant prayer.



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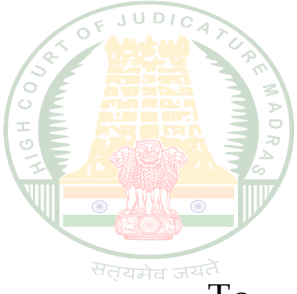
WEB COPY 4.As mentioned earlier, there is a dispute between the Petitioner and the private respondents regarding the existence of car track in the subject property and the District Revenue Officer has passed an order in favour of private respondents. Challenging the same, the Petitioner instituted a civil suit in O.S.No.36 of 2025.

5.In such circumstances, it is for the Petitioner to file interim application in the pending civil litigation seeking appropriate relief. The instant Writ Petition filed by the Petitioner seeking restraint order against the respondents from surveying the property pending disposal of the original suit instituted by him, cannot be entertained and accordingly, the Writ Petition is dismissed, with liberty to the Petitioner to work out his remedy before the civil Court in the pending civil litigation. In case, any interim application is filed by the Petitioner, the same shall be considered by the Civil Court on its own merits. No costs. Consequently, connected Miscellaneous Petition is closed.

15.07.2025

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

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ORDER MADE IN

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