



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.07.2025

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.19785 of 2025

Jothiraj

... Petitioner

Vs

1.The District Collector,
Collectorate Office,
Pudukkottai District.

2.The Thasildar,
Thasildhar Office,
Karambakudi Taluk,
Pudukkottai District.

3.The Revenue Inspector,
Revenue Inspector Office,
Karambakudi Taluk,
Pudukkottai District.

4.The Surveyor,
Karambakudi Taluk,
Pudukkottai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Mandamus** directing the 2nd to 4th respondent herein to measure the property comprised in Survey No.445/3A and 445/3B bearing the patta No.1896 situated at Kottaikadu Mallankaru, South Karambakudi, Karambakudi Taluk, Pudukkottai District, by considering challan dated 13.06.2025, within time stipulated by this Court.



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For Petitioner : M/s.A.Banumathy
for Mr.M.Benison

For Respondents : Mr.D.S.Nedunchezian
Government Advocate

* * * * *

ORDER

The petitioner herein seeks a direction to the respondents 2 to 4 to measure the property comprised in Survey No.445/3A and 445/3B, bearing patta No.1896, situated in Kottaikadu Mallankaru, South Karambakudi, Karambakudi Taluk, Pudukkottai District, by considering his application, dated 13.06.2025.

2.According to the petitioner, he purchased the subject property under the registered sale deed dated 01.04.2025, from one Leema Rose. Subsequently, it came to the knowledge of the petitioner that the partition suit has been filed by one Alangaramary, aunt of said Leema Rose in O.S.No.73 of 2021, on the file of the District Court, Pudukottai. In order to safeguard the ownership and boundaries of the property purchased by her, the petitioner decided to survey the property and submitted an application on 13.06.2025, before the respondents seeking survey of the property. The same has not been considered. Hence, the petitioner has come before this Court.



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3. Even from the averments found in the affidavit filed in support of the writ petition, the petitioner purchased the subject property pending partition suit filed by one Alangaramary, the Petitioner's vendor, namely, Leema Rose and others in O.S.No.73 of 2021. Therefore, there is a dispute with regard to the exclusive right of the petitioner vendor and the same has to be decided in the civil suit. The petitioner is only a *lis pendens purchaser*. Therefore, any decree in the civil suit is binding upon the petitioner. It is for the petitioner to implead himself in the pending suit and work out his remedy before the civil suit.

4. With the said clarifications, this Writ Petition stands disposed of. No costs.

22.07.2025

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



S.SOUNTHAR, J.

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RJR

To

- 1.The District Collector,
Collectorate Office,
Pudukkottai District.
- 2.The Thasildar,
Thasildhar Office,
Karambakudi Taluk,
Pudukkottai District.
- 3.The Revenue Inspector,
Revenue Inspector Office,
Karambakudi Taluk,
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- 4.The Surveyor,
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