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WMP(MD) NO. 16217 of 2023
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21-11-2025
CORAM
THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WMP(MD) NO. 16217 of 2023
IN REV.APLW(MD) SR NO. 58194 OF 2023

Baskar

Petitioner/Third Party

Vs

1.The Tahsildar
Kulathur Taluk
Pudukkottai District

2.The Head Surveyor
Tahsildar Office
Kulathur
Pudukkottai District

...Respondents 1 & 2/Respondents 1 & 2

3. Rajesh Kumar

...3rd Respondent/Writ Petitioner

For Petitioner(s) :

Mr.T. Veerakumar

For R1 & R2

: Mr.PT.Thiraviyam
Government Advocate

For R3

: Mr.M.Ramu

Prayer: This petition is filed under Order XLI of CPC to pass an order to grant leave for filing the Review Petition against the order dated 25.04.2023 in WP(MD) 9773/2023 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



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ORDER

The review applicant, who is a third party to the writ petition, proposed to file a review application seeking to re-examine and re-visit the order passed by this Court in WP(MD)No.9773 of 2023 dated 25.04.2023. He filed the present petition in WMP(MD)No.16217 of 2023 seeking leave of the court to file a review application.

2. The writ petition had been initially filed by the writ petitioner seeking a mandamus directing the second respondent, the Head Surveyor, Tahsildar Office, Kulathur, Pudukkottai District to survey and fix boundary stones of the petitioner's land in Survey No.142/5A1 in Patta No.1055, situated at Moottampatti Revenue Village, Kulathur Taluk, Pudukkottai District.

3. The writ petitioner had given an application in this regard on 03.03.2023. The writ petitioner had not impleaded any third parties apart from the Tahsildar and the Head Surveyor as the respondents. He had also not disclosed



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whether any civil suit is pending. This Court had granted a mandamus to protect the rights of others, who might be owning lands in that area. It is ordered that notice should be issued before conducting survey.

4. The petitioner herein/third party contends that the petitioner and his mother had filed a civil suit in O.S.NO.333 of 2022 against the writ petitioner/R3 herein and the said suit is pending before the Subordinate Court, Keeranur at Pudukkottai District relating to the very same land. He also stated that consequent to the orders of this Court in WP(MD)No.9773 of 2023, the Surveyors have come over and had dispossessed to an extent of the possession of the review applicant. It is under those circumstances, he filed this application seeking leave to file a review application.

5. The learned counsel for the petitioner herein filed a memo dated 20.11.2025 in which it is stated that private notice was served on the learned counsel on record in the writ petition.



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6. Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel for the third respondent/writ petitioner.

7. Both sides stated that the suit for declaration and for consequential permanent injunction is pending in O.S.No.333 of 2022 before the Subordinate Court at Keeranur. Hence, it would only be appropriate that the learned Subordinate Judge, Keeranur on the basis of the evidence adduced before him should examine the issues therein.

8. The learned Subordinate Judge, Keeranur, while taking decision on the issues, may not take note of the observations given by this Court and may act independently on the aspects.

9. With the above direction, WMP(MD)No.16217 of 2023 stands closed. Rev.APLC(MD)No.58914 of 2023 is rejected at the SR stage itself.

21-11-2025

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To

1.The Subordinate Judge,

Keeranur

2. The Tahsildar

Kulathur Taluk

Pudukkottai District

3. The Head Surveyor

Tahsildar Office

Kulathur

Pudukkottai District



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C.V.KARTHIKEYAN., J.

CM

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