



W.P(MD)No.21357 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.21357 of 2025

and

W.M.P(MD)No.16480 of 2025

Mookayi

..Petitioner

Vs

1.The Tahsildar,
Thuraiyur Taluk Office,
Trichy District.

2.Raghavan
3.Nadarajan

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records pertaining to the proceedings initiated by the first respondent in Na.Ka.No. 6/8789/2024 dated 14.07.2025 and quash the same as illegal.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.A.Baskaran
Addl. Govt. Pleader (for R1)

Mr.M.Manimuthu (for R2 and R3)



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ORDER

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This writ petition is filed challenging the impugned survey notice dated 14.07.2025 issued by the first respondent, calling upon the petitioner to appear for enquiry.

2. It is the case of the petitioner that the property measuring an extent of 96 Ares, comprised in S.Nos. 456/1, 5, 6, 8, 2, and 7, situated at Venkatachalapuram Revenue Village, Thuraiyur Taluk, is ancestral in nature. It is further stated that the revenue records, including patta and tax receipts, stand in the name of the petitioner and her family members. The respondents 2 and 3 had filed a suit for injunction in O.S. No. 47 of 2025 on the file of the District Munsif Court, Thuraiyur, against the petitioner and others. During the pendency of the said suit, the third respondent filed W.P. (MD) No. 16322 of 2025 seeking cancellation of the patta issued in the name of the petitioner and other private respondents impleaded therein. The said writ petition was disposed of with a direction to the Tahsildar to conduct an enquiry. Pursuant thereto, the first respondent has issued the impugned enquiry notice. Aggrieved by the same, the petitioner has approached this Court.

3. The learned counsel appearing for the petitioner submitted that the respondents 2 and 3 had filed a civil suit in O.S.No.47 of 2025 and without



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awaiting the outcome of the same, the third respondent filed a writ petition and obtained an order directing the first respondent to conduct an enquiry.

It is further contended that, during the pendency of the civil suit, the first respondent is not entitled to conduct any enquiry with respect to the cancellation of the revenue records.

4. The learned Additional Government Pleader, who takes notice for the first respondent, submitted that the impugned notice was issued only in compliance with the direction of this Court in W.P.(MD) No.16322 of 2025.

5. The learned counsel appearing for respondents 2 and 3 submitted that the impugned notice was issued by the first respondent pursuant to the direction of this Court, and therefore, the petitioner is not justified in challenging the same.

6. I have considered the rival submissions of both sides and perused the materials available on record.

7. It is seen from the typed set of papers that the impugned order is only an enquiry notice issued by the first respondent. It is not in dispute that the third respondent had filed a writ petition before this Court seeking cancellation of the revenue records standing in the name of the petitioner and others, and that the said writ petition was disposed of with a direction



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to the first respondent to conduct an enquiry after affording a reasonable opportunity to the petitioner and the private respondents herein. Therefore, it is for the petitioner to appear for the enquiry and raise his objections. It is also open to the petitioner to bring to the notice of the first respondent the pendency of the civil suit between the parties. In such circumstances, this Court does not find any ground to quash the impugned enquiry notice issued by the first respondent.

8. Accordingly, the writ petition stands dismissed, with liberty to the petitioner to raise his objections before the first respondent. The first respondent shall consider the objections so raised and take a decision on the matter on its own merits. No costs. Consequently, the connected miscellaneous petition is closed.

05.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1.The Tahsildar,
Thuraiyur Taluk Office,
Trichy District.



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S.SOUNTHAR, J.

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