



W.P(MD)No.21534 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.21534 of 2025

K.Rajangam

..Petitioner

Vs

- 1.The Tahsildar
Madurai East Taluk,
Madurai.
- 2.The Head Surveyor,
Madurai East Taluk,
East Taluk Office,
Y.Othakadai,
Madurai.
- 3.The Village Administrative Officer,
Rajakambeeram,
Y.Othakadai,
Madurai.

..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 to consider the petitioner's representation dated 22.07.2025 not to survey the house site in Survey No.59/1, to an extent of 0.0031.0 sq.mt (approximately 3/4 cents) situated at Rajakambeeram Village, Y.Othakkadai Main Road, Madurai North Taluk, Madurai.



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For Petitioner : Mr.I.Saliyakhan

For Respondents : Mrs.K.Malathi
Addl. Govt. Pleader

ORDER

The writ petition has been filed seeking issuance of a Writ of Mandamus to forbear the respondents from conducting a survey in respect of the property comprised in Survey No.59/1, measuring 0.0031.0 sq. m. (approximately 3/4 cent), situated at Rajakambeeram Village, Y. Othakkadai Main Road, Madurai North Taluk, Madurai District.

2. Heard the arguments of Mr.I.Saliyakhan, learned counsel appearing for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims to have a 1/3 share in the subject property. He had earlier filed W.P.(MD) No. 4107 of 2021, seeking inclusion of his name in the revenue records for the said property along with the names of his brothers, including one Soalairajan. The said writ petition was dismissed on the ground that the petitioner had failed to produce any document to



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establish his 1/3 share in the subject property. However, liberty was granted to the petitioner to workout his remedy before the civil court.

Pursuant to the said liberty, the petitioner has instituted a suit for declaration and injunction in O.S.No.111 of 2025 on the file of the District Munsif Court, Madurai Taluk. During the pendency of the said suit, the official respondents allegedly attempted to survey the property based on an application submitted by the petitioner's brother, Soalairajan. Aggrieved by the same, the petitioner has filed the present writ petition.

4. Even as per the averments in the affidavit and the documents filed in the typed set of papers, it is evident that the petitioner has already instituted a suit seeking declaration of title and injunction against his brothers, Soalairajan and Sethuraman, before the civil court. In such circumstances, it is for the petitioner to file an appropriate interim application in the pending suit and workout his remedy. Hence, this Court is not inclined to entertain the present writ petition, and accordingly, the same is dismissed, with liberty to the petitioner to workout his remedy before the civil court. No costs.

06.08.2025

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



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S.SOUNTHAR, J.

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