



W.P.(MD) No.23651 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.23651 of 2025

1.Sudha

2.Muniammal

... Petitioners

Vs.

1.The District Collector,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.The Surveyor,
Kadayanallur Taluk,
Tenkasi District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 2 and 3 to measure and fix the boundary in respect of the land in Survey No.195, Kampaneri Pudhukudi Part I Village, Kadayanallur Taluk, Tenkasi District, based on the online application of the petitioners dated 21.04.2025 and the representation dated 06.08.2025.



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For Petitioners : Mr.T.S.Mohamed Mohideen

For R1 to R3 : Mrs.K.Malathi
Additional Government Pleader

ORDER

The petitioners herein seek a direction to the respondents 2 and 3 to survey the property situated in Survey No.195, Kampaneri Pudhukudi Part I Village, Kadayanallur Taluk, Tenkasi District, by considering their online application dated 21.04.2025.

2.Heard the arguments of Mr.T.S.Mohamed Mohideen, learned counsel appearing for the petitioners 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 petitioners claim right over the subject property under the settlement deed executed by their father, dated 03.09.2009 and 10.05.2018. The petitioners also obtained a decree for declaration and



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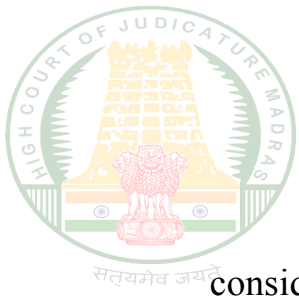
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injunction in respect of the subject property against one Palraj and Karunanidhi. Subsequently, the petitioners submitted an online application on 21.04.2025 in Application No.2025/0123/34/005862, seeking survey of the subject property. The same has not been considered. Hence, the petitioners have come before this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that one Sudalaimuthu, an adjacent land owner, raised an objection regarding survey of the subject property. Therefore, the request of the petitioners has not been considered.

5.A perusal of the affidavit would indicate that the petitioners themselves admitted that one Mahendran for himself and as the power agent of K.Subbaiah and seven others persons, filed a suit in O.S.No.454 of 2025 on the file of Additional Sub Court, Tenkasi, regarding the subject property and the same is pending.

6.In view of the same, this Court, without expressing any opinion on the merits of the matter, is inclined to direct the second respondent to



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consider the application of the petitioners dated 21.04.2025 and pass final orders on its own merits within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioners, above mentioned Sudalaimuthu, plaintiffs in O.S.No.454 of 2025, neighbouring land owners and other interested parties. Accordingly, this Writ Petition is disposed of. No costs.

29.08.2025

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

To

- 1.The District Collector,
Tenkasi District.
- 2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.
- 3.The Surveyor,
Kadayanallur Taluk,
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S.SOUNTHAR,J

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