



W.P.(MD)No.25331 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.25331 of 2023

Ponnuthai

... Petitioner

/Vs./

1.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

2.Palanivel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned proceedings in Na.Ka.No.2009/2023/E4 of the first respondent and quash the same and consequently direct the first respondent to survey the land comprised in S.No.42/9A with an extent of 21.5 ares in Santhankudi Bit 2 Village, Thirumangalam Taluk, Madurai district.

For Petitioner	: Mr.S.M.Arun Kumar
For R1	: Mr.B.Saravanan Additional Government Pleader
For R2	: Mr.V.Sugumar



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ORDER

I have heard the learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader appearing for the first respondent and Mr.V.Sugumar, learned counsel appearing for the second respondent.

2. The case of the petitioner is that the petitioner based on the registered sale deed has sought for survey to be conducted. However, the second respondent taking advantage of the similarity in the name of the petitioner's vendor and his father's name has sought for UDR correction claiming the subject property to be the property of the second respondent. Infact, at the instance of the second respondent, W.P.(MD)No.17087 of 2022 came to be filed before this Court to object to the survey. Based on the pendency of the proceedings before the District Revenue Officer, this Court directed the first respondent to hear the objections of the said petitioner, who is the second respondent herein, and thereafter the matter was directed to be decided by the first respondent.



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3. The learned counsel for the petitioner inviting my attention to the operative portion of the impugned order would submit that only because of the pendency of the proceedings for correction of UDR before the District Revenue Officer, the survey has been rejected and no other reasons have been cited. Even on a casual perusal of the records, it would evidence the fact that the claim of the second respondent is unsustainable. Be that as it may, when the application seeking correction of the UDR records pertaining to the very same subject matter of property is at large before the District Revenue Officer, Madurai if may not be proper for the subordinate revenue officials to carry out the survey as it might only lead to further confusion and multiplicity of proceedings.

4. Considering the above, I deem it fit to dispose of the writ petition in the following manner:-

(i) The proceedings pending in O.Mu.No.G5/39537/2021 dated 16.12.2021, which is to be heard on 28.03.2025, shall be disposed of by the District Revenue Officer, Madurai after affording a fair opportunity to the petitioner as well as the second respondent, in accordance with law and on the merits of the respective contentions, within a period of four



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weeks from 28.03.2025. Subject to the out come of the said proceedings before the District Revenue Officer, the application of the petitioner for survey shall be reconsidered .

5. With the above directions, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

06.03.2025

To

The Tahsildar,
Thirumangalam Taluk,
Madurai District.



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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.25331 of 2023

Dated:
06.03.2025