



W.P(MD)No.23979 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23979 of 2025

Thangavel

... Petitioner

Vs.

1.The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

2.The Surveyor,
Malvarpati Circle,
Vedasanthur Taluk,
Dindigul.

3.Maruthupandi Raja

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 1 and 2 to survey land in Survey No.451/2, 451/3, situated at Malvarpatti Village, Vedasanthur Thaluk, Dindigul District without consider petitioner objection.



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For Petitioner : Mr.P.Manikandan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 & R.2

Mr.T.Manikandan for R.3

ORDER

Heard both sides.

2.The third respondent herein had filed W.P(MD)No.18671 of 2025 for conducting survey. The writ petition was disposed of on 10.07.2025 in the following terms:

“6. The said submission made by the learned Government Advocate is recorded. The first respondent is directed to dispose of the application already filed by the vendor of the petitioner within a period of three weeks from the date of receipt of copy of this order. Thereafter, the petitioner, if so advised, may file fresh application seeking survey of the subject property. On submission of fresh application, the first respondent shall consider the same and pass final orders on its own merits within a further period of eight weeks, after affording reasonable opportunity to the petitioner, neighboring land owners and other interested parties.”



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3.All that the petitioner herein states is that without considering the objection, survey should not be conducted. In fact, the filing of the present writ petition was unnecessary, as the earlier order passed at the instance of the third respondent already envisages the same.

4.The first respondent is directed to consider the writ petitioner's objections and pass a speaking order. If the writ petitioner's objections are overruled, breathing time of six weeks shall be given so that the petitioner can obtain an interim order from the civil Court in the pending civil suit. If no such interim order is obtained within the said period, the survey can very well go on. If the objections of the writ petitioner are upheld, it is always open to the third respondent to challenge the same in the manner known to law.

5.The learned counsel for the third respondent points out that the patta is in the name of the third respondent and not in the name of the writ petitioner. The merits of the matter have not been gone into either by me or by my predecessor.



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6.This writ petition is disposed of accordingly. There shall be no order as to costs.

04.09.2025

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

To

1.The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

2.The Surveyor,
Malvarpati Circle,
Vedasanthur Taluk,
Dindigul.



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G.R.SWAMINATHAN, J.

MGA

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