

WEB COPY

CMP(MD) NO. 15670 of 2025



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-09-2025

CORAM

THE HONOURABLE DR JUSTICE ANITA SUMANTH

AND

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

CMP(MD) NO. 15670 of 2025

IN WA(MD) SR NO. 77373 OF 2025

& WA(MD) SR NO. 77373 OF 2025

Chinnasmay.M

S/o.Marnadu Thevar, 7/149 D, South Street,
TMeenakshipuram, Thirumanickam Post,
Madurai - 625 535.

Petitioner(s)

Vs

1. M.Rajaram

S/o.Muthu,
44/3, Nethaji Nagar,
Kariapatti,
Virudhunagar District.

2. The Tahsildar,

Tahsildar Office,
Periyur Taluk,
Madurai District.

3. The Land Surveyor,

Peraiyur Tahsildar Office,
Madurai District.

4. The Inspector of Police

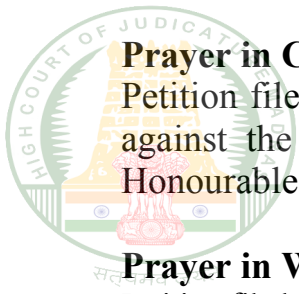
Sedapatti Police Station,
Madurai District.

Respondent(s)

For Petitioner(s): Mr.S.A.Ajmalkhan

For Respondent(s): Mr.M.Sarangan, Additional Government Pleader (R2 & R3)

Mr.P.Kottaichamy, Government Advocate (R4)



Prayer in CMP(MD)No.15670 of 2025:

Petition filed under Section 151 of CPC to Grant leave to the petitioner to file appeal against the order in W.P.(MD) No.10846 of 2025 dated 17.04.2025 on the title of this Honourable High Court pending disposal of above writ appeal and thus render justice.

Prayer in WA(MD)SR No.77373 of 2025:

Petition filed under Clause 15 of Letters Patent to set aside the order passed in W.P.(MD) No.10846 of 2025 dated 17.04.2025 on the file of this Court and allow this Writ Appeal.

ORDER

(Order of the Court was made by Hon'ble Dr.Anita Sumanth J.)

This grant leave petition has been filed by one M.Chinnasamy, who claims to be aggrieved by order dated 17.04.2025 passed in WP(MD)No.10846 of 2025. Subject matter of that writ petition concerned a plea for mandamus directing the Tahsildar and the Land Surveyor in Peraiyur Taluk to conduct survey and fix the boundaries in respect of the properties in S.No.77/1 and 77/8 admeasuring 49 ares at Thirumaanikkam Vilalge, Peraiyur Taluk, Madurai District ('property').

2. On perusal of the order of the Writ Court, we find that the learned Judge has directed the first respondent to fix a date for survey after giving advance notice to the writ petitioner as well as any adjacent land owners, who have an interest in the matter and conduct a survey seeking police protection, if required.

3. The grievance of the petitioner is that he is in possession of the property. Learned Judge has also proceeded on the basis that the property in question belongs to the writ petitioner. We have nothing to say on this score, as the question of title to the property falls outside the ambit of this writ petition or any writ petition, for that matter. It would hence suffice to assuage the grievance of the present petitioner, by reiterating that prior to conduct of survey, notice shall be issued to him as well, informing him of the date and time of the survey.



4. With this, we see no necessity to grant leave, as the interest of the 1 has been duly taken note of and addressed by virtue of the present order. This miscellaneous petition stands closed. No costs.

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(ANITA SUMANTH J.) (C.KUMARAPPAN J.)
23-09-2025

To

1. The Tahsildar,
Tahsildar Office,
Periyur Taluk,
Madurai District.

2. The Land Surveyor,
Peraiyur Tahsildar Office,
Madurai District.

3. The Inspector of Police
Sedapatti Police Station,
Madurai District.



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DR. ANITA SUDHAKAR



, J.
ND

C. KUMARAPPAN, J.

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IN WA(MD) SR NO. 77373 OF 2025
& WA(MD) SR NO. 77373 OF 2025**

23.09.2025