



W.P.(MD)No.26938 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :24.10.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.26938 of 2025

C.Maharajan

... Petitioner

Vs.

1. The District Collector,
Tiruchirappalli District,

Collectorate Campus,
Tiruchirappalli District.

2. The Tahsildar,
Marungapuri Taluk,
Tiruchirappalli - 621 305.

3. The Village Administrative Officer,
Ikkaraikosikurichi,
Tiruchirappalli District.

4. The Firka Surveyor,
Ikkaraikosikurichi,
Tiruchirappalli District.

5. Tamilselvi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2 to 4 respondents to Conduct the Survey in S.No. 116/3B comprising an extent of 0.11.00 Ares and S.No.118/8A1 comprising an extent of 0.77.75 Ares



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situated at Ikkaraikosikurichi Village in Marungapuri Taluk in Thiruchirappalli District in patta no. 1545 by identifying the four boundaries and extent of the respective survey numbers by meets and bounds based on the online application of the petitioner dated 18.07.2025 within a time frame.

For Petitioner :Mr. S.Chandrasekaran

For Respondents :Mr.M.Muthumanikkam
Government Advocate for R1 to R4
Mr.A.Saravanan for R5

ORDER

The petitioner had applied for the survey of land in Survey Nos. 116/3B and 118/8A1 in Ikkaraikosikurichi Village. The said request was made on the basis of sale deed dated 28.01.2020 executed in favour of the petitioner by MSK Fincorp Finance Company.

2. Learned counsel for the petitioner submits that the fifth respondent executed sale deed dated 13.03.2019 in favour of MSK Fincorp Finance Company and that the petitioner purchased the property from the said finance company. As regards the fifth respondent, he submits that the said respondent had availed of a loan from MSK Fincorp Finance Company and had executed the sale deed in relation thereto.



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3. Learned counsel for the fifth respondent submits that the purported sale deed in favour of MSK Fincorp Finance Company was in the nature of security for the loan availed of by the fifth respondent. He also points out that O.S.No.259 of 2021 has been filed by the fifth respondent seeking for declaration of title and to cancel the sale deeds in favour of the finance company and in favour of the petitioner. He points out that the petitioner herein was set ex-parte and that the petitioner has filed a petition to set aside the order setting the petitioner ex-parte. Learned counsel contends that the survey should not be conducted until the civil suit is disposed of.

4. On instructions, learned counsel for the fifth respondent states that the said respondent would not object to the petition filed by the petitioner to set aside the order setting the petitioner ex-parte. He also submits that the fifth respondent would extend full cooperation for the expeditious disposal of the civil suit. Learned counsel for the petitioner also submits that the petitioner would extend full cooperation in the expeditious disposal of the civil suit.



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5. In these circumstances, I am of the view that a direction may be issued for the expeditious disposal of the civil suit. The rival claimants may take necessary steps to survey the property based on the outcome of such civil suit.

6. Hence, this writ petition is disposed of by directing the Sub-Court, Manapparai, to dispose of O.S.No.259 of 2021 within six months from the date of receipt of a copy of this order. Both the petitioner and the fifth respondent are directed to extend full cooperation to ensure that the suit is disposed of within the timeline mentioned above. No costs.

24.10.2025

NCC :No
Internet :Yes
Index :No
PKN



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