



W.P(MD)No.29748 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29748 of 2023

and

W.M.P(MD)Nos.25674 & 25676 of 2023

V.Kannan

... Petitioner

Vs.

1.The District Collector,
Collectorate Complex,
Virudhunagar District.

2.The Tahsildar,
Virudhunagar Taluk,
Collectorate Complex,
Virudhunagar District.

3.The District Surveyor,
Collectorate Complex,
Virudhunagar District.

4.Anusuya

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating order passed by the second respondent in Na.Ka.No.



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42/5602/2021 dated 03.07.2023 and quash the same as illegal and unsustainable and direct the respondents to rectify the mistake in the Field Map and to draw new field Map with correct measurement as per the Sale deed with regard to land in S.No.756 Meesalur Village, Virudhunagar Taluk and District.

For Petitioner : Mr.R.Govindaraj
For Respondents : Mr.B.Ramanathan
Additional Government Pleader
for R.1 to R.3

Mr.M.Kannan for R.4

ORDER

Heard both sides.

2.The petitioner approached the Tahsildar, Virudhunagar for making corrections in FMB. Citing the decree passed in O.S.No.260 of 2008, the petitioner's request was denied. Challenging the stand of the Tahsildar, this writ petition has been filed.

3.It is seen that the fourth respondent herein filed O.S.No.260 of 2008 before the District Munsif Court, Virudhunagar seeking the relief of declaration, recovery of possession and permanent injunction. The suit was decreed on 12.04.2024. The petitioner herein filed appeal belatedly.



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The condone delay petition was dismissed and the decree appears to have become final. While the petitioner states that the Execution Petition filed by the fourth respondent is pending, the fourth respondent states that she has already taken possession. I cannot go into this factual aspect.

4. Whether the measurement has to be done as per the FMB or not is a matter of enquiry before the Court concerned. When the parties have already approached the civil Court, the revenue authority cannot be expected to pass any order which may possibly work at cross purposes. The petitioner's right to agitate the issue before the executing Court is left open.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

19.11.2025

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

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Copy to
The District Munsif Court,
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G.R.SWAMINATHAN, J.

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