



W.P.(MD)No.35168 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.35168 of 2025

Arumugam

... Petitioner

Vs

1. The Tahsildar,
Thuvar Village,
Thiruppathur,
Sivagangai..

2. The Inspector of Surveyor,
The Tahsildar Office,
Thuvar Village,
Thiruppathur,
Sivagangai..

3. Karuppaiya,
S/o.Palaniappan,
Door No. 80a, Navanikalam,
Nerkuppai, Thiruppathur,
Sivagangai District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus direct the 2nd respondent to conduct survey, measure and demarcated the petitioner's land in Survey No. 441/6 based on the application dated 09.09.2025 with the police protection.



W.P.(MD)No.35168 of 2025

WEB COPY For Petitioner :Mr.E.Mohammed Abbas

For Respondents :Mr.D.Sadiq Raja
Addl. Government Pleader

ORDER

This writ petition has been filed for a direction to the 2nd respondent to conduct survey, measure and demarcated the petitioner's land in Survey No. 441/6 based on the application dated 09.09.2025 with the police protection

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself. Since no adverse orders are going to be passed against the third respondent, notice is dispensed with.

3. Learned counsel for the petitioner would submit that after representation was given, the 2nd respondent came to conduct survey. However, the third respondent issued threats and prevented the 2nd respondent from conducting survey of the land.



W.P.(MD)No.35168 of 2025

WEB COPY

4. The learned Additional Government Pleader for the respondents 1 and 2 would submit that there is a pending civil dispute between the petitioner and the third respondent, which was suppressed earlier by the petitioner and when the 2nd respondent came to know about the pending civil dispute, he refused to conduct the survey on the said ground.

5. At this juncture, the learned counsel for the petitioner would submit that though the pending civil case in OS No.92/2025 on the file of the Principal District Munsif, Tiruppathur pertains to the property in question, this petitioner is not a party to the said civil suit.

6. Not being a party cannot be made as a ground to conduct the survey and conclude the proceedings, when the subject land is a matter of adjudication before the competent civil Court. However, since the application is given and the same was already rejected, a copy of the said rejection proceedings shall be served on to the petitioner.



W.P.(MD)No.35168 of 2025

WEB COPY

7. With the said observation, the writ petition stands closed. There shall be no order as to costs.

(K.SURENDER, J)
09.12.2025

NCC :Yes/No
Index :Yes/No
RR

To

1. The Tahsildar,
Thuvar Village,
Thiruppathur,
Sivagangai..

2. The Inspector of Surveyor,
The Tahsildar Office,
Thuvar Village,
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Sivagangai..



WEB COPY



W.P.(MD)No.35168 of 2025

K.SURENDER, J.

RR

W.P.(MD)No.35168 of 2025

09.12.2025