



W.P.(MD)No.36012 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.36012 of 2025

and

W.M.P.(MD)Nos.28614 and 28616 of 2025

A.Mahalingam

... Petitioner

-VS-

1.The District Collector,
O/o.District Collector,
Thanjavur District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Thanjavur - 614 625.

3.The Tahsildar,
Orathanadu Taluk,
Thanjavur District.

4.The Head Surveyor,
Ambalakudi Village,
Orathanadu Taluk,
Thanjavur District.

5.A.Arumugam

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned notice issued by the third respondent dated 01.12.2025, quash the same as illegal and restrain the respondents 3 and 4 from surveying petitioner's land in S.No. 106/3A1, by taking into consideration of pending civil suit in O.S.No.336 of 2025 on the file of Sub-Court, Pattukottai.

For Petitioner : Ms.R.Vidhya

For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorari, to quash the impugned notice issued by the third respondent dated 01.12.2025, and restrain the respondents 3 and 4 from surveying petitioner's land in S.No. 106/3A1, by taking into consideration of pending civil suit in O.S.No.336 of 2025 on the file of Sub-Court, Pattukottai.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Since no adverse orders are going to be passed against the fifth respondent, notice to the fifth respondent is hereby dispensed with.

4. The learned counsel for the petitioner submits that the petitioner is the original owner of the land in S.No.106/3A1. In order to grab the said property, the fifth respondent created a forged document and claiming ownership over the property. Hence, the petitioner has filed a civil suit in O.S.No.336 of 2025 on the file of the Sub-Court, Pattukottai and the same is pending. Despite the same, the fifth respondent filed W.P.(MD)No.26935 of 2025 before this Court, seeking to survey the land in S.Nos.106/3A1 and 106/3A2, suppressing the pendency of the civil suit, and obtained an order from this Court. In compliance with that order, the third respondent issued the impugned notice dated 01.12.2025, to which the petitioner submitted objections on 03.12.2025. However, the objections have not been considered by the third respondent so far. Hence, the present Writ Petition.

5. The learned Special Government Pleader appearing for the respondents 1 to 4 submits that the petitioner's objection will be considered while conducting survey and appropriate orders will be passed on merits and in accordance with law.



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6. Recording the above submission, and without expressing any opinion on the merits of the matter, this writ petition is disposed of with a direction to the third respondent to consider the petitioner's objection dated 03.12.2025 while conducting survey and pass appropriate orders in accordance with law after providing reasonable opportunity of hearing to the petitioner, the fifth respondent and also to the other persons, who may be affected by such decision, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
16.12.2025

To:-

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