

CONT.P.(MD)No.364 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
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DATED: 07.03.2025

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

CONT.P.(MD)No.364 of 2025  
in  
WP(MD) No.21641 of 2023

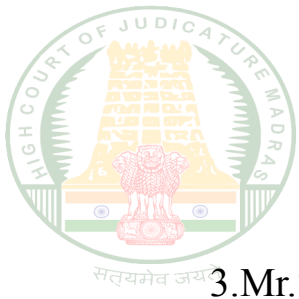
Pilliyarpatti Karpaga Vinayagar Kovil  
Nagarathar Trust  
Represented by  
Saw.G.Swaminathan,  
S/o Saw Ganesan,  
Having office at Temple office,  
Pillaiyarpatti Karpaga Vinayagar Temple,  
Pillaiyarpatti, Thiruppathur Taluk,  
Sivagangai District.

...Petitioner

Vs

1.Mrs.Meenakshi  
The Tahsildar,  
Madurai East Taluk,  
Madurai District.

2.Mrs.Kavitha,  
Head Surveyor,  
Madurai East Taluk,  
Madurai District.



CONT.P.(MD)No.364 of 2025

3.Mr.Sivabalan,  
The Inspector of Police,  
Othakkadai Police Station,  
Y.Othakadai,  
Madurai – 625 107.

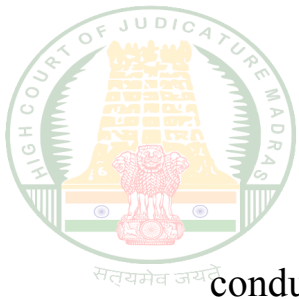
...Contemnors/  
Respondents

**PRAYER:** Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the Contemnors/Respondents for their willful disobedience of the order of this Court in WP(MD) No.21641 of 2023, dated 05.09.2023.

|                |                                                     |
|----------------|-----------------------------------------------------|
| For Petitioner | :Mr.RM.Arun Swaminathan                             |
| For R1 & R2    | :Mr.P.T.Thiraviam<br>Government Advocate            |
| For R3         | :Mr.T.Senthil Kumar<br>Additional Public Prosecutor |

## **ORDER**

The petitioner is a Trust having temple in the name of Pillaiyarpatti Karpaga Vinayagar Temple at Thiruppathur Taluk, Sivagangai District. They have approached this Court by way of a writ petition in WP(MD) No.21641 of 2023, seeking a Mandamus as against the Tahsildar, Madurai East Taluk and the Head Surveyor to



CONT.P.(MD)No.364 of 2025

WEB COPY

conduct survey of their land in Patta No.82 of Ulagneri Village, Madurai East Taluk. The learned Government Advocate for the respondents has raised objections in that writ petition that the petitioner has not paid the fee as required under Tamil Nadu Survey Manual. Considering the same, this Court has disposed of that writ petition in the following terms:-

"4.In view of the above, this writ petition is disposed of with a direction to the petitioners to pay the necessary fee as per the Tamil Nadu Survey Manual within a period of ten days from the date of receipt of a copy of this order and on payment of necessary fees by the petitioners, respondents shall do the needful, within a period of twelve weeks therefrom after putting on notice the interested parties, if any."

Now the petitioner has approached this Court that the above order of this Court has not been complied with by the respondents.

2.Mr.P.T.Thiraviam, learned Government Advocate takes notice for the respondents 1 & 2. Mr.T.Senthil Kumar, learned Additional Public Prosecutor takes notice for the third respondent. The learned Government Advocate has produced a letter along with



CONT.P.(MD)No.364 of 2025

WEB COPY

a Map that the land of this petitioner Trust was surveyed for several times. However, the petitioner has not satisfied with the survey and not accepted the same. According to the learned Government Advocate, this petitioner has encroached a portion of southern side of a water body in S.No.100/1. Since this has been pointed out by the Surveyor, this petitioner has not accepted the survey conducted by the respondents. The learned Government Advocate has produced a communication addressed to the petitioner by the Tahsildar, Madurai East along with a Map mentioning the boundaries.

3.The learned counsel appearing for the petitioner has disputed the same and submits that survey was not conducted by the respondents properly by issuing notice to the adjacent land owners, as required under the Tamil Nadu Survey and Boundaries Act, 1923. According to him, survey stone laid by the Survey Department was also damaged by some Advocates.

4.This Court considered the rival submissions made and



CONT.P.(MD)No.364 of 2025

also perused the materials placed on record.

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5.This Court has disposed of the writ petition in WP(MD) No.21641 of 2023 with a direction to the petitioner to pay the required fee for conducting survey as per Tamil Nadu Survey and Boundaries Act, 1923. The petitioner has paid the requisite fee and therefore, the respondents have also conducted survey and filed a report to that effect. In the event, if the petitioner is not satisfied with the survey conducted by the respondents, this petitioner is having an appeal remedy under Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923. In the event, if any survey stone has been damaged as projected by the petitioner, he can also work out his remedy by lodging a criminal complaint before the concerned Police Station. Since the order of this Court has been complied with by the respondents, by surveying the petitioner's land and considering the scope of this contempt petition, this Court is not inclined to pass any further order in this contempt petition.



CONT.P.(MD)No.364 of 2025

WEB COPY

6. Accordingly, this contempt petition is closed.

**07.03.2025**

Index: Yes/No  
Internet: Yes/No  
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To

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CONT.P.(MD)No.364 of 2025

**B.PUGALENDHI, J.**

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**Order made in**  
**CONT.P.(MD)No.364 of 2025**  
**in**  
**WP(MD) No.21641 of 2023**

**07.03.2025**