



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 14827 of 2025

AND

WMP NO. 34271 OF 2025

Thirupathi Gounder,
S/o.Ramasamy Gounder,
No.1/197, Avadhanapatti,
Agraharam Post, Krishnagiri District.

Petitioner(s)

Vs

1.The District Collector,
Krishnagiri, Krishnagiri District.

2.The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.

3.The Tahsildar,
Krishnagiri, Krishnagiri District.

4.Errammal,
W/o.Chinnavan,
Residing At No.3/104, Nehrupuram,
Thimmapuram Post, Krishnagiri Taluk
And District.

(R4 Suo Motu Impleaded Vide Order
Dated 07.08.2025 Made In
Wmp.34270/2025 In Wp.14827/2025
By NAVJ)

Respondent(s)



PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 3rd respondent herein to consider the petitioner's application dated No 3/10/2024 vide application No 2024 / 0123 / 31/ 005627 and another application No 2025/ 0123 / 31/ 007684 dated 20.01.2025 and consequently survey the lands of the petitioner's situated at Dimapuram Village II.

For Petitioner(s): Mr.R.Ramesh

For Respondent(s): Mr.C.Jayaprakash, GA
for R1 to R3

Mr.C.Jayachitra
for R4

ORDER

This writ petition has been filed seeking for survey and demarcation of boundaries for the property more fully described in the prayer to this writ petition.

2.Objection was raised by the learned counsel for the 4th respondent, questioning the maintainability of this writ petition, since the civil suits are already pending between the petitioner and the 4th respondent with regard to the same cause of action.



3. Admittedly the civil suits are pending before the Civil Courts. One suit has been filed by the petitioner and two suits were filed by the 4th respondent, who is the contesting respondent in this writ petition. All the suits pertain to the very same property for which the relief is sought for in this writ petition namely, survey and demarcation of boundaries. When the petitioner himself has filed the suit for declaration before the Civil Court seeking to declare that he is the absolute owner of the property which is the subject matter of this writ petition, this Court express a view that the petitioner cannot parallelly file a writ petition pertaining to the very same property for surveying and demarcation of boundaries, which goes to show that there are disputed question of fact involved with regard to the title of the property. When there is disputed question of fact involved, then the survey and demarcation of boundaries cannot be permitted at this stage since there are Civil suits parallelly pending, filed by the respective parties namely the petitioner and the 4th respondent, before the Civil Courts. In view of the fact that there exists disputed questions of fact to the boundaries of the respective properties owned by the petitioner and the 4th respondent and since the said issue is pending before the Civil Courts for adjudication, this Court is not entertaining this writ petition.

4. Accordingly, this writ petition is disposed of by granting liberty to the petitioner as well as the 4th respondent to redress their respective grievance including the reliefs that are prayed for in this writ petition before the Civil



Courts where the suits are pending for adjudication. This Court is not expressing any opinion on the merits of the petitioner's contention before this Court. No costs. Consequently, connected miscellaneous petition is closed.

12-01-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

- 1.The District Collector,
Krishnagiri, Krishnagiri District.
- 2.The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.
- 3.The Tahsildar,
Krishnagiri, Krishnagiri District.



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ABDUL QUDDHOSE J.
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