



WP No. 36005 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 36005 of 2024

Shakkthi,
S/o. Palanisamy,
Door No. 2/439, West Street,
Kanakampalayam Village,
Tiruppur Taluk, Tiruppur.

Petitioner(s)

Vs

1. The District Collector
Coimbatore District.

2. The Thasildar,
J. Krishnapuram Village, Sulur Taluk,
Coimbatore District.

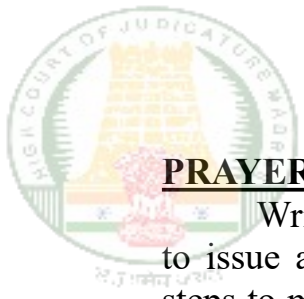
3. The District Surveyor,
J. Krishnapuram Village, Sulur Taluk,
Coimbatore District.

4. The Inspector Of Police,
Sulthanpettai Police Station,
Coimbatore District.

5. R. Saraswathy
W/o. Raju
Door No. 3/120(1),
J. Krishnapuram Sulur Taluk
Coimbatore District.

R5- impleaded as per order passed in
WMP.No.11419 of 2026 dated 07.04.2026

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, Directing the 2nd and 3rd Respondent to take steps to measure and demarcate the property being all that piece and parcel of land in J.Krishnapuram Village, Sulur Taluk, Coimbatore District comprised in Old S.No. 302/1 New S.No. 302/1C to an extent of 1.22 Acres to put the fencing the property with aid of 4th respondent within a time frame fixed by this Honble Court

For Petitioner(s): Mr.M.Selvam

For Respondent(s): Mr.T.K.Saravanan, AGP for R1 to 3
Dr.C.E.Pratap, GA for R4
Mr.R.T.Vishnu for R5

ORDER

This writ petition has been filed to direct the 2nd and 3rd respondent to take steps to measure and demarcate the property being all that piece and parcel of land in J.Krishnapuram Village, Sulur Taluk, Coimbatore District comprised in Old S.No. 302/1 New S.No. 302/1C to an extent of 1.22 Acres to put the fencing the property with aid of 4th respondent.

2. The learned counsel for the petitioner would submit that in this case, both the petitioner and the 5th respondent had already filed a suit for declaration and permanent injunction and the same is pending. Under these circumstances, the petitioner filed an application before the respondents to measure the subject land and lay survey stones therein. According to the petitioner, the said process will no way affect the interest of the private respondents. Hence, this petition.



3. On the other hand, the learned counsel appearing for the private respondents would submit that since the suit is already pending, the process of measuring the property and laying survey stones therein will create unnecessary issues. Further, he would suggest that if there is any necessity for measuring the subject land, the petitioner shall approach the Civil Court, where the suit is pending, and file an appropriate application. Hence, he prays for dismissal of this petition.

4. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

5. In the case on hand, both the petitioner and the 5th respondent had already filed a suit for declaration and permanent injunction and the same is pending. Under these circumstances, the petitioner filed an application before the respondents to measure the subject land and lay survey stones therein.

6. There is no impediment for this Court to pass orders directing the official respondents to survey the subject land. However, passing of such order would definitely create a panic situation due to the pendency of suit between the parties. In such case, it is clear that entertaining this petition is nothing but an act of encouraging the dispute between the parties. Therefore, to avoid the same, this Court is inclined to dismiss the present petition.



7. As rightly contended by the private respondents, since the suit filed by both the parties are pending before the Civil Court, now the right course available to the petitioner is to approach the said Civil Court by way of filing an application, to conduct survey at the subject property.

8. Therefore, this writ petition is dismissed. No cost. The liberty is granted to the petitioner to approach the Civil Court for appropriate orders.

07-04-2026

nsa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The District Collector
Coimbatore District.

2.The Thasildar,
J.Krisnapuram Village, Sulur Taluk,
Coimbatore District.

3.The District Surveyor,
J.Krishnapuram Village, Sulur Taluk,
Coimbatore District.

4.The Inspector Of Police,
Sulthanpettai Police Station,
Coimbatore District.



WEB COPY

WP No. 36005 of 2024



KRISHNAN RAMASAMY J.
nsa

WP No. 36005 of 2024

07-04-2026