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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 45570 of 2026

CNR:{HCMA012680272026}

Case QR

1. R.Subramani
   S/o. Ramasami Gounder,
   No.2/210 , Malaikadu,
   O.Sowdhapuram village, Sowdhapuram post,
   Rasipuram taluk, Namakkal district.

2. S.Sivan
   S/o. Subramani,
   No.2/210 , Malaikadu,
   O.Sowdhapuram village, Sowdhapuram post,
   Rasipuram taluk, Namakkal district

..Petitioner(s)

Vs

1. The District Collector
   Namakkal district

2. The Revenue Divisional officer
   Namakkal district

3. The Tahsildar
   Rasipuram taluk, Namakkal district

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for writ of mandamus directing the 3rd respondent to expeditiously pass orders in Na.Ka.No. 4722/ 2026 B5 by considering the written submissions dated 18.09.2026 filed by the petitioners in accordance with law and within a time frame stipulated by this Honble court and consequently forbearing the

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Respondents or anybody acting on their behalf from disturbing the peaceful possession and enjoyment of the petitioner's in respect of the land comprised in Survey No. 129/3B measuring an extent of 1.12 Acres situated at O. Sowdhapuram village, Rasipuram taluk, Namakkal district by citing the order dated 5.06.2026 passed in WP No. 18549 of 2026 until final orders are passed in the proceedings in Na.Ka.No. 4722/ 2026B5 on the file of the 3rd respondent.

For Petitioner(s): Mr.T.Hemalatha

For Respondent(s): Ms.Saranya Priya,
Government Advocate

Order

The petitioner seeks a direction to the third respondent to pass final orders in Na.Ka.No. 4722/2026/B5 by considering his written submissions dated 18.09.2026 within a stipulated time frame, and consequently to forbear the respondents from disturbing his peaceful possession and enjoyment of the land in Survey No. 129/3B (measuring 1.12 acres) at O. Sowdhapuram Village, Rasipuram Taluk, Namakkal District, based on the order dated 05.06.2026 in W.P. No. 18549 of 2026, pending disposal of the said proceedings.

2. The learned counsel for the petitioner submitted that the petitioner is aggrieved by the inaction of the respondents in not adhering to the orders passed by this Court in W.P. No. 18549 of 2026. She further submitted that the said writ petition was filed by one Periyasamy, wherein it was specifically

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directed that the second respondent therein shall take suitable steps to subdivide the property based on the enquiry report of the first respondent and pass appropriate orders.

3. The case of the petitioner is that he is aggrieved by the said separate subdivision made in pursuance of the orders passed *ibid.*, in respect of which proceedings were initiated in Na.Ka.No. 4722/2026B5, for which he was summoned but till date they have not passed any order.

4. At this juncture, the learned counsel for the petitioner submitted that a civil suit in O.S. No. 138 of 2026 has already been filed questioning the said subdivision and despite the same the third respondent is proceeding to sub divide the subject property.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made on either side, and in view of the fact that a civil suit in O.S. No. 138 of 2026 is already pending before the competent Civil Court questioning the very same subdivision, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the written submission and to pass orders on merits and in accordance with law as

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expeditiously as possible. However, it is made clear that the parties are at liberty to agitate all their rights and contentions before the Civil Court in the pending suit, or work out their remedies in the manner known to law.

7. With the above observations, this writ petition is disposed of. No costs.

K.SURENDER J.
05-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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2. The Revenue Divisional officer
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   Rasipuram taluk, Namakkal district

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