



W.P.(MD) No.554 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.554 of 2026

and

W.M.P.(MD) Nos.499 and 500 of 2026

P.Selvam

... Petitioner

Vs.

1.The Thasildar,
Melur Taluk,
Madurai District.

2.The Taluk Head Surveyor,
Pottapatti Village,
Melur Taluk, Madurai District.

3.The Village Administrative Officer,
Pottapatti Village, Melur Taluk,
Madurai District.

4.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

5.V.Sethuraman

6.Manikandan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Notice issued by the first respondent dated 05.01.2025 (served only on 06.01.2026) and quashing the same as illegal and consequently restraining the first to fourth respondents from conducting the survey or taking any other coercive action in properties situated at S.Nos.217/2C2, 217/2C3, 217/2B1, 452/12, 217/2D2, 217/2D1 and 217/2B2, Pottapatti Village, Melur Taluk, Madurai District.

For Petitioner : Mr.T.Veerakumar

For R1 to R3 : Mr.N.Ramesh Arumugam
Government Advocate

For R4 : Mr.S.Prakash
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus challenging the impugned notice issued by the first respondent dated 05.01.2025 for survey the lands in Survey No.21/6C, 21/6D, 21/6F and 217/2D1.

2. With the consent of the learned counsel for the petitioner, the learned Government Advocate for the first to third respondents and the



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learned Government Advocate (Criminal Side) for the fourth respondent, this Writ Petition is taken up for final disposal at the admission stage itself, dispensing with the notice to the fifth and sixth respondents, as no adverse orders are proposed to be passed against them.

3. The learned Government Advocate appearing for the first to third respondents submits that the sixth respondent herein had filed a Writ Petition in W.P.(MD) No.28312 of 2025 before this Court seeking a direction to survey the aforesaid land in question and demarcate the same; that this Court, by order dated 13.10.2025, directed the first and second respondents to consider the sixth respondent's application for survey and to conduct an enquiry; that since it is the bounden duty of the authorities to comply with the order of this Court dated 13.10.2025, they issued the impugned notice fixing the date for survey of the land as tomorrow, i.e., 09.01.2026; and that if the petitioner is aggrieved by the order of the learned Single Judge of this Court, he may file an appeal before the Division Bench of this Court and therefore, the petitioner cannot question the same by way of the present Writ Petition.



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4. The learned counsel for the petitioner submits that there are rival claims over the property; that the petitioner has already filed a suit in O.S.No.127 of 2025 on the file of the District Munsif Court, Melur, seeking a permanent injunction, which is now pending; that the sixth respondent, instead of contesting the said suit, has filed W.P.(MD) No. 28312 of 2025 simply seeking survey and demarcation of the property; and that all rights can only be adjudicated by the competent civil court and cannot be decided by the Tahsildar.

5. The petitioner has already filed a suit in O.S. No.127 of 2025 on the file of the District Munsif Court, Melur, seeking a permanent injunction. Since there are rival claims, all such rights can only be adjudicated by the competent civil court. However, as it is the bounden duty of the authorities to comply with the order of this Court, the authorities are at liberty to proceed further. At the same time, all the objections raised by the petitioner, including the pendency of the civil suit, shall form part of the record. The proceedings shall be concluded within a period of eight weeks from the date of receipt of a copy of this order. Needless to state, before passing any order, the petitioner and any



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other interested parties who may be affected by such an order shall be heard.

6. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

[K.SURENDER, J.]
08.01.2026

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

Issue Order copy on 08.01.2026

To

- 1.The Thasildar,
Melur Taluk,
Madurai District.
- 2.The Taluk Head Surveyor,
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