



W.P.(MD)No.3319 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.3319 of 2025

and

W.M.P.(MD)No.2322 of 2025

Devayani

... Petitioner

-VS-

1.The District Collector,
Office of the District Collector,
Thanjavur - 613010.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pattukkottai, Thanjavur District.

3.The Tahsildar,
Office of the Tahsildar,
Thiruvonam,
Thanjavur District.

4.The Inspector of Police,
Vaathathikottai Police Station,
Thanjavur District.

5.Muthupandian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent not to conduct survey,



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subdivision and demarcation in Survey No.112/5A1 to the extent of 43 cents at Neiveli Thenpathi Village, Thiruvonam Taluk, Thanjavur District, by considering the petitioner's objection dated 20.01.2025 in accordance with law.

For Petitioner	:	Mr.P.Balamurugan
For R1 to R3	:	Mr.D.S.Nedunchezian Government Advocate
For R4	:	Mr.S.Prakash Government Advocate (Criminal side)
For R5	:	Mr.K.Pragadeesh Kumar

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the third respondent not to conduct survey, subdivision, and demarcation in Survey No.112/5A1, to an extent of 43 cents, situated at Neiveli Thenpathi Village, Thiruvonam Taluk, Thanjavur District, without considering the petitioner's objection dated 20.01.2025, in accordance with law.

2. The learned counsel for the petitioner submits that the fifth respondent herein, who is none other than the brother of the petitioner's husband, had filed W.P.(MD)No.23295 of 2024 before this Court seeking a direction to the third respondent to conduct survey and demarcate the boundaries of the property in



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Survey No.112/5A, measuring an extent of 10 cents, and to issue a separate patta in his favour by subdividing the said survey number, covered under Joint Patta No.1734, by considering his representation dated 14.09.2024. It is contended that the said writ petition was filed by suppressing the fact of an earlier oral partition and the existence of a house constructed by the petitioner, and that the fifth respondent attempted to encroach upon the petitioner's property. This Court, by order dated 01.10.2024, disposed of the said writ petition by directing the authorities to conduct survey and mark the boundaries after issuing notice to the parties, holding an enquiry, and thereafter passing appropriate orders. Pursuant thereto, the petitioner submitted a detailed objection before the third respondent opposing the survey. However, it is alleged that the third respondent merely received the objection and proceeded further with the survey without properly considering the same. Hence, the present Writ Petition.

3. The third respondent / Tahsildar has filed a counter affidavit stating that though the survey was conducted, no orders have been passed in view of the pendency of the civil suit in O.S.No.19 of 2025 on the file of the District Munsif-cum-Judicial Magistrate Court, Orathanadu. It is further stated that orders were withheld in view of the departmental circular which mandates that, in cases



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involving unresolved disputes between parties, the Revenue Authorities should bear in mind that questions relating to title can be decided only by the competent Civil Court.

4. Both the learned counsel for the petitioner and the learned counsel for the fifth respondent have levelled allegations against each other with regard to attempted dispossession.

5. Inasmuch as the rights of the parties are yet to be crystallized in O.S.No. 19 of 2025, pending before the District Munsif-cum-Judicial Magistrate Court, Orathanadu, the question of dispossessing any party who is presently in possession does not arise. Any dispossession or alteration in the existing state of affairs shall be strictly subject to the outcome of the said civil suit.

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

NCC : Yes / No
Index : Yes / No
smn2

(K.SURENDER, J.)
27.01.2026



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WEB COPY

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