



W.A(MD)No.196 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A(MD)No.196 of 2026
and
C.M.P(MD)No.2064 of 2026**

P.Dharmar @ Oyannan

... Appellant/3rd Respondent

Vs.

1.T.Thenmozhi

... 1st Respondent/Writ Petitioner

2.The Tahsildar,
Taluk Office,
Peraiyur Taluk,
Madurai District.

3.The Firka Surveyor,
Ezhumalai Firka,
Peraiyur Taluk,
Madurai District.

... Respondents 2 & 3/
Respondents 1 & 2



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PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order made in WP(MD)No.28345 of 2025 dated 10.11.2025 on the file of this Court.

For Appellant : Mr.Saravana Kumar
for Mr.O.Selvam

For Respondents : Mr.Ravichandran (R.1)
for Mr.S.Somaselvakumar

: Mr.J.Ashok (R2 & R3)
Additional Government Pleader

JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.]

Challenging the order of the learned Single Judge in W.P(MD)No.28345 of 2025, dated 10.11.2025, whereby a direction was issued to conduct a survey in respect of the land in Survey Nos.283/11 and 284/1, to an extent of 23.5 cents in Uthapuram Village, Peraiyur Taluk, Madurai District, the third respondent has preferred the present Writ Appeal.



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2.The learned counsel appearing for the appellant/third respondent submitted that, earlier, the first respondent/writ petitioner had filed a petition in CrI.O.P.(MD)No.15746 of 2022 seeking police protection to conduct a survey in respect of the very same property in the aforesaid survey numbers. This Court, by order dated 23.03.2023, dismissed the said petition and directed the parties to approach the civil Court for partition of the property. Without challenging the said order, the first respondent/writ petitioner has filed the present Writ Petition, which resulted in the impugned order.

3.Heard the learned counsel appearing on either side and perused the entire materials available on record.

4.As rightly pointed out by the learned counsel appearing for the appellant/third respondent, when a similar relief was sought in CrI.O.P.(MD)



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WEB COPY No.15746 of 2022 for police protection to conduct a survey in respect of Survey Nos.283/11 and 284/1, and this Court, by order dated 23.03.2023, had directed the parties to approach the civil Court, the first respondent/writ petitioner, without challenging the said order, has filed the present Writ Petition seeking an identical relief. Be that as it may, the dispute between the parties appears to be in respect of undivided shares in the property.

5.In such view of the matter, the parties are at liberty to work out their remedies in the civil suit in O.S.No.99 of 2026 on the file of the learned Sub Judge, Thirumangalam.

6.In view of the above, the order of the learned Single Judge directing the authorities to conduct a survey stands set aside and the Writ Petition stands dismissed.



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7. Accordingly, the Writ Appeal is allowed. No costs.

Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
06.04.2026

NCC : Yes / No
Index : Yes / No
ps

To

1. The Tahsildar,
Taluk Office,
Peraiyur Taluk,
Madurai District.

2. The Firka Surveyor,
Ezhumalai Firka,
Peraiyur Taluk,
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ps

ORDER MADE IN
W.A(MD)No.196 of 2026

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