



W.P.(MD) No.4900 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.4900 of 2026

Chellathai

... Petitioner

Vs.

1.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

2.The Firka Surveyor,
Sankarankovil Taluk,
Tenkasi District.

3.Balakrishnan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first and second respondents not to survey the property in Survey No.377/6B and 377/9B situated at Kothainatichiyarpuram, Paruvakudi Village, Sankarankovil Taluk, Tenkasi District, till disposal of O.S.No.223 of 2025 on the file of the learned Principal District Munsif, Sankarankovil based on the petitioner's representation dated 20.12.2025.

For Petitioners : Mr.P.Praveenkumar



W.P.(MD) No.4900 of 2026

For R1 & R2 : Mr.B.Ramanathan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus forbearing the first and second respondents from surveying the property in Survey Nos.377/6B and 377/9B situated at Kothainatichiyarpuram, Paruvakudi Village, Sankarankovil Taluk, Tenkasi District, pending disposal of O.S.No.223 of 2025 on the file of the learned Principal District Munsif, Sankarankovil, based on the petitioner's representation dated 20.12.2025.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that he is the owner of the subject property and that a civil suit is pending in respect thereof. However, the third respondent made an application seeking survey of the land and also filed a Writ Petition in W.P.(MD) No.21197 of 2025



W.P.(MD) No.4900 of 2026

seeking a direction to conduct such survey. By order dated 04.08.2025, this Court directed the official respondents to consider the application of the third respondent and pass final orders.

4. Aggrieved by the said survey, the petitioner submitted a representation dated 20.12.2025 to the official respondents setting out the relevant facts and raising objections to the proposed survey. However, the same has not been considered. Therefore, the petitioner has been constrained to file the present Writ Petition.

5. Since the issue is pending before the Civil Court, the Civil Court is the competent authority to decide the dispute relating to the survey. However, once an application or representation has been made seeking conduct of survey, it is for the authority concerned to consider and dispose of the same on merits and in accordance with law and such application cannot be kept pending without consideration. On the said ground, this Court had already directed the respondents to consider the third respondent's application and pass orders. Therefore, the first and second respondents are directed to consider the petitioner's representation dated 20.12.2025 raising objections, including the pendency of the civil



W.P.(MD) No.4900 of 2026

suit, before passing orders on the third respondent's application for survey.

6. With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs.

[K.SURENDER, J.]

24.02.2026

JEN

Index : Yes / No

Neutral Citation : Yes / No

To

1.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

2.The Firka Surveyor,
Sankarankovil Taluk,
Tenkasi District.



WEB COPY



W.P.(MD) No.4900 of 2026

K.SURENDER, J.

JEN

W.P.(MD) No.4900 of 2026

24.02.2026