



W.P.(MD) No.9058 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.9058 of 2024

and

W.M.P.(MD) No.8260 of 2024

Dhanam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Madurai.

2.The Tahsildar,
Vadipatti Taluk,
Madurai District, Madurai.

3.The Taluk Surveyor,
Vadipatti, Vadipatti Taluk,
Madurai District.

4.The Village Administrative Officer,
Kallanai Village, Alanganallur,
Vadipatti Taluk, Madurai District.

5.K.G.Pandiyan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus forbearing the first to fourth respondents from conducting survey and fixing of boundaries in respect of the lands in S.Nos.133/5A, 133/6A, 133/7, 100/1, 41/10A, 136/1B,



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41/10A1, 41/10B, 35/20B, 136/1A, 160/1, 193/4B of Kallanai village, Allanganallur, Madurai district till the disposal of the suit filed by the petitioner pending numbering stage on the file of District Munsif, Vadipatti.

For Petitioner : Mr.P.Murugan
For R1 to R3 : Mr.S.Kameswaran
Government Advocate
For R5 : Mr.Tirumurugan
for Mr.Senthil

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus forbearing the first to fourth respondents from conducting any survey and fixing boundaries in respect of the lands comprised in Survey Nos.133/5A, 133/6A, 133/7, 100/1, 41/10A, 136/1B, 41/10A1, 41/10B, 35/20B, 136/1A, 160/1 and 193/4B of Kallanai Village, Alanganallur Taluk, Madurai District, till the disposal of the suit filed by the petitioner, which is pending at the stage of numbering, on the file of the District Munsif Court, Vadipatti.

2. The petitioner is aggrieved by the application made by the fifth respondent, namely, K.G. Pandiyan. The fifth respondent approached the



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first to third respondents seeking to conduct a survey and fix boundaries in respect of the lands comprised in Survey Nos.133/5A, 133/6A, 133/7, 100/1, 41/10A, 136/1B, 41/10A1, 41/10B, 35/20B, 136/1A, 160/1 and 193/4B, situated at Kallanai Village, Alanganallur Taluk, Madurai District. The petitioner objects to the said survey. One Ravichandran and one Kannan, who also opposed the survey, filed two Writ Petitions in W.P.(MD) Nos.9085 and 9086 of 2024, which have also been disposed of today by separate orders.

3. Earlier, the fifth respondent made an application seeking to conduct a survey. Since the authorities acted upon the same, the fifth respondent filed a Writ Petition in W.P.(MD) No.10210 of 2023. At the same time, the said A.Ravichandran filed two Writ Petitions in W.P.(MD) Nos.12320 and 18404 of 2023, seeking to forbear the survey and also seeking cancellation of the Sale Deed executed in favour of the fifth respondent. This Court granted liberty to the said A.Ravichandran to approach the civil court. Accordingly, A.Ravichandran filed a suit in O.S. No.35 of 2024. The interim application in the said suit seeking interim injunction was filed.



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4. Another set of Writ Petitions in W.P.(MD) Nos.4199 and 4200 of 2024 came to be filed in respect of the very same property. This Court, by orders dated 22.02.2024, directed that the interlocutory application shall be disposed of and if the same is rejected, the survey shall be conducted. Subsequently, the interlocutory application filed in the said O.S. was rejected. Meanwhile, appeals in W.A.(MD) Nos.697 and 698 of 2024, preferred against the orders passed in W.P.(MD) Nos.4199 and 4200 of 2024, were disposed of with a direction to conduct the survey as ordered in the writ petitions and also direction to the parties to pursue their remedies in the suit.

5. Thereafter, the petitioner filed O.S. No.52 of 2024 before the District Munsif Court, Vadipatti, while two others filed O.S.Nos.50 and 51 of 2024. The petitioner also filed I.A. No.2 of 2024 seeking to restrain the respondents from conducting the survey and for an interim injunction not to disturb the petitioner's peaceful possession and enjoyment. The said I.A. was dismissed on 06.08.2025. Thereafter, the respondents proposed to conduct the survey. The learned counsel for the petitioner submitted that a C.M.A. has been filed challenging the order passed in the said interlocutory application.



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6. However, as on date, no interim order has been passed in the C.M.A. restraining the respondents from conducting the survey or staying the order refusing injunction passed by the trial court. Since the learned Single Judge of this Court had already directed that the survey may be conducted, subject to the orders passed by the learned Trial Judge in the interlocutory application, which was also dismissed and further since the Division Bench has also directed the revenue authorities to conduct the survey and in the absence of any order restraining the respondents from conducting the survey, the prayer sought by the petitioner in the present writ petition cannot be granted.

7. For the aforesaid reasons, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

[K.SURENDER, J.]
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Index : Yes / No
Neutral Citation : Yes / No



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