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CONT.P.(MD)NO.237 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.237 of 2026 in
W.P.(MD)No.15050 of 2024

Ajitha Kumari

... Petitioner / Third party

Vs.

G.Saraswathi Amma(Died)

1. Mr.Rajasekar,
Tahsildar,
Tholaiyavattam Village,
Killiyur Taluk,
Kanyakumari District.

2. Mr.Praveen,
Surveyor,
Tholaiyavattam Village,
Killiyur Taluk,
Kanyakumari District.

3. G.V.S.Neena
4. P.Ravindran Nair
5. V.Manoharan
6. Kumar

... Contemnor /
Respondents 1 & 2 & third party

Prayer: Contempt petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnors herein for their willful and wanton disobedience of the order passed by this Court in W.P.(MD)No.15050 of 2024 dated 02.07.2025.

1/6



For Petitioner : Mr.C.Kishore

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 & R-2.

Mr.P.Ravindran Nair,
Party-in-person - R-4.

* * *

ORDER

One G.Saraswathi Amma filed W.P.(MD)No.15050 of 2024 for measuring and demarcating the property comprised in R.S. No.603/7. According to Saraswathi Amma, she has title over the possession of 18.375 cents. The writ petition was disposed of by me on 08.07.2024 by passing usual set of directions. Contending that the direction given by this Court has not been properly complied with, this contempt petition came to be filed.

2. The petitioner herein is the adjacent land owner. Her case is that on 20.01.2025, when she appeared and produced the documents, instead of passing a speaking order calling upon the applicant to go before the civil Court, the authority conducted



survey. The case of the petitioner is that while conducting survey, the authorities virtually trespassed into her fenced portion.

3. Shri.Ravindran Nair who has been shown as one of the contemnors is present in person. He is none other than the son-in-law of Saraswathi Amma. Saraswathi Amma has since passed away. He categorically states that they have claim only over R.S.No.603/7 and that they have no claim over the petitioner's property which according to him is comprised in R.S.No.603/6B. According to him, they are two distinct pieces of land.

4. The learned counsel appearing for the contempt petitioner would claim that what was purchased by the petitioner's mother was the property comprised in R.S.No.603/7 only. This appear to be a classic civil dispute. In fact, Ravindran would state that O.S.No.80 of 2025 has already been filed before the Principal District Munsif, Kuzhithurai seeking the relief of injunction.

5. Since the dispute has arisen between the parties already and the civil Court is seized of the matter, it would be just and proper



that the petitioner files IA in the pending suit for appointing Advocate Commissioner. The civil Court shall allow such IA and survey shall be conducted. Since the present survey was done by the Firka surveyor, the Court shall direct the Taluk Surveyor to conduct survey. The surveyor will take into account the documents to be filed by both the parties.

6. It is also to be noted that the petitioner did not file any written objection. I do not find that the respondents to be guilty. The outcome of the writ proceedings will not in any way affect the rights of both the parties. The civil Court will decide the issue based on the evidence adduced before it. This contempt petition is closed.

10.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To:

1. The Tahsildar,
Tholaiyavattam Village,
Killiyur Taluk,
Kanyakumari District.
2. The Surveyor,
Tholaiyavattam Village,
Killiyur Taluk,
Kanyakumari District.



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G.R.SWAMINATHAN,J.

PMU

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W.P.(MD)No.15050 of 2024

10.03.2026