



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.(MD)No.8369 of 2011

A.Raju : Petitioner

Vs.

- 1.The District Collector,
Virudhunagar, Virudhunagar District.
- 2.The Tahsildar,
Aruppukkottai, Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Aruppukkottai, Virudhunagar District.

4.Dinakaran : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the second respondent/Tahsildar to survey the land in GR.No.338/131-C of Pandalgudi Village, Aruppukkottai Taluk, Virudhunagar District, along with revenue officials and police personnel based on the petitioner's representation dated 02.07.2011.

For Petitioner : No Appearance

For Respondent Nos.1to3: Mr.Aaiyram K.Selvakumar
Government Advocate

For Respondent No.4 : Mrs.Vijayakumari Natarajan
For Mr.S.Natarajan

O R D E R

None appears on behalf of the petitioner.

2. The learned counsel for the fourth respondent, on instructions, submitted that the Tahsildar, Aruppukkottai, the second respondent herein, has already rejected the petition filed by the petitioner for surveying the land in question, by order dated 25.07.2011. The rejection was made on account of the ~~petitioner's~~ Civil Suit filed by the fourth respondent in O.S.No.365 of 2010, on the file of District Munsif Court, Aruppukkottai.



2. There is no dispute that the fourth respondent filed a suit in O.S.No.365 of 2010 before the District Munsif Court, Aruppukkottai against the petitioner. The suit is still pending. In view of the pendency of the suit, the Tahsildar, Aruppukkottai, rejected the petition submitted by the petitioner for surveying the land in question by order dated 25.07.2011.

3. In view of the order dated 25.07.2011, the petitioner is not entitled to a Writ of Mandamus, as prayed for in the Writ Petition. It is open to the petitioner to challenge the order, if he is so advised.

4. The Writ Petition is dismissed with the above observation. No costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Virudhunagar, Virudhunagar District.
- 2.The Tahsildar,
Aruppukkottai, Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Aruppukkottai, Virudhunagar District.

+1cc to Mr.S.Natarajan, Advocate SR.No.49481
+1cc to special Government Pleader SR.No.50048

NB

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ORDER MADE IN
W.P. (MD) No.8369 of 2011
01.09.2016