



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.05.2017
CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.A. (MD) No.506 of 2017
and C.M.P. (MD) No.4376/2017

M.Chellapandy .. Petitioner

Vs.

1.The Tahsildar,
Manamadurai Taluk,
Sivagangai District

2.The Sub Inspector,
Manamadurai Taluk,
Survey Department,
Sivagangai District

3.R.Sethuraman .. Respondents

Writ Appeal has been filed under Clause 15 of the Letters Patent against the order passed in W.P.(MD) No.4112 of 2017 dated 24.04.2017.

Prayer in WP(MD)No.4112 of 2017:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned memo issued by the 2nd respondent in his proceedings nil dated 06.03.2017 and to quash the same as illegal consequently directing the respondents 1 and 2 to consider the objection made by the petitioner through his legal notices dated 23.02.2017 and 29.06.2016 and pass orders in accordance with law in respect of measuring the land in survey No.270/2C2, to an extent of 5 acres 82 cents situated is Vellikurichi Village, Manamadurai Taluk, Sivagangai District.

For Appellant	: Mr.G.R.Swaminathan for Mr.N.Satheesh Kumar
For Respondents	: Mr.M.Govindan for R1 and R2 Special Government Pleader Mr.V.Veerapandian for caveator



JUDGMENT

(Judgment of the Court was delivered by P.N.PRAKASH, J.)

This writ appeal is directed against the order passed in W.P.(MD) No.4112 of 2017 dated 24.04.2017.

2.Heard the learned counsel for the appellant, the learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the 3rd respondent.

3.On a perusal of the order passed by the writ Court, this Court does not find any reason to interfere in the order passed by the learned single Judge.

4. In the result, the writ appeal is dismissed. However, the survey at the instance of the third respondent shall go on and the same shall not in any way prejudice the rights of either parties in the suit, which is pending between them in O.S.No.161 of 2016 before the Sub Court, Sivagangai. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Tahsildar,
Manamadurai Taluk,
Sivagangai District

2.The Sub Inspector,
Manamadurai Taluk,
Survey Department,
Sivagangai District

+One cc to Mr.N.Satheesh Kumar, Advocate, SR.No.55535
+One cc to M/s.Vast Law Associates, Advocate, SR.No.55565
+One cc to The Special Government Pleader, SR.No.55789

RR

RL/6C/2P/MR/SAR4/5.5.2017

ORDER MADE IN
W.A.(MD)No.506 of 2017 and
CMP No. 4376/2017