



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 27.04.2017**

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.8166 of 2017

Chinnammal

..Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

3.The Taluk Surveyor,
Karambakudi Taluk,
Pudukkottai District.

4.K.Krishnan

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent's proceedings dated 25.1.2017 in Na.Ka.No.473/2016/S2 and to quash the same and to direct the second and third respondents to survey the Petitioner's 19 cents of land comprised in S.No.425/2A at Mullankurichi South Village, Karambakudi Taluk, Pudukkottai District.

For Petitioner : M/s.N.Kamesh

For Respondents : Mr.A.Muthukaruppan
1 to 3 Addl.Govt.Pleader

ORDER

The learned counsel for the Petitioner approached this Court for issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent's proceedings dated 25.1.2017 in Na.Ka.No.473/2016/S2 and to quash the same and to direct the second and third respondents to survey the Petitioner's 19 cents of land comprised in S.No.425/2A at Mullankurichi South Village, Karambakudi Taluk, Pudukkottai District.



2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents 1 to 3.

3.Admittedly, a Second Appeal is pending before this Court in regard to the subject-matter property. In such circumstances, the second respondent by proceedings dated 25.01.2017 directed the authorities concerned to refuse to survey the land, in view of the pendency of the Second Appeal. I do not find any infirmity in the order passed by the second respondent. When the subject-matter property is pending consideration in the Second Appeal No.503 of 2015 of this Court, the authority cannot survey the land as requested by the Petitioner. In view of the same, the impugned order does not call for any interference by this Court.

4.Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

3.The Taluk Surveyor,
Karambakudi Taluk,
Pudukkottai District.

+1 cc to Mr.N.Kamesh , Advocate in SR.No. 54847

+1 cc to Special Government Pleader in SR.No:55190

vsn

AE/SV/09.05.2017/2P/6C

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27.04.2017**