



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **08.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.8631 of 2017
and
W.M.P. (MD) .No.6556 of 2017

V.P.Ammavasai

: Petitioner

Vs.

- 1.The District Collector,
Theni District.
- 2.The Revenue Divisional Officer,
Peruyakulam Taluk, Theni District.
- 3.The Tahsildar,
Theni Taluk, Theni District.
- 4.The Assistant Executive Engineer,
Public Works Department,
Water Resource Organisation,
Theni.
- 5.The Special Officer / Executive Officer,
Palanichettipatti Town Panchayat,
Theni, Theni District.
- 6.Palaniappa Pasana Paribalana Sabha,
Palanichettipatti,
Theni, Theni District,
Represented by its President,
Mr.Sivakumar

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to appoint an Advocate Commissioner to conduct survey, demarcate the boundaries and fix boundary marking stones in Suruli River Poramboke in Survey Nos.1533 & 1534 of Palanichetti Patti, Veerapandi Village, Theni Taluk, along with the third respondent for proper conduct of survey in a transparent manner in accordance with law and submit a report, for effective implementation of the order dated 20.01.2017 made in WP(MD)No.851 of 2017 on the file of this Court.

<https://hcservices.ecourt.gov.in/Services/ForR1toR5>

: Mr.M.Muthusamy
: Mr.T.S.Md.Mohideen
Additional Government Pleader



For Respondent No.6 : No Appearance

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed for appointing an advocate commissioner to conduct survey, demarcate the boundaries etc., and to submit a report for effective implementation of the order dated 20.01.2017 made in W.P.(MD).No.851 of 2017 passed by this Court.

2.For implementing an earlier order of this Court there cannot be institution of another writ proceedings. All that the writ petitioner seeks is to appoint an Advocate Commissioner. Such a relief is not maintainable.

3. Since the prayer made in the writ petition is misconceived, this Writ petition is dismissed. No costs. Consequently, connected W.M.P.(MD).No.6556 of 2017 is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,Theni District.

2.The Revenue Divisional Officer,
Peruyakulam Taluk, Theni District.

3.The Tahsildar,Theni Taluk, Theni District.

4.The Assistant Executive Engineer,
Public Works Department,
Water Resource Organisation, Theni.

5.The Special Officer / Executive Officer,
Palanichettipatti Town Panchayat,
Theni, Theni District.

+1cc to M/S.T.S.MOHAMED MOHIDEEN, Advocate SR.No.71138

+1cc to M/S.A.MITHUN CHAKARAVARTHI, Advocate SR.No.71531

+1cc to Special Government Pleader, SR.No. 71701

tsg

MAS/MR-KKR/SAR3:28.08.2017:2P-9C

Order made in
W.P.(MD)No.8631 of 2017
and

W.M.P. (MD) .No.6556 of 2017
dated: 08.08.2017