



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.12874 of 2017

and

W.M.P. (MD) No.9966 of 2017

Chandra

: Petitioner

Versus

1.The District Collector,
Collectorate Building,
Trichy District.

2.The Tahsildar,
Taluk Office,
Musiri Taluk,
Trichy District.

3.The Surveyor,
Taluk Office,
Musiri Taluk,
Trichy District.

4.The Inspector of Police,
Musiri Police Station,
Musiri, Trichy District.

5.Ganesan

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent Nos.2 and 3 with the help of the fourth respondent not to survey the lands in Survey No.88/11B to an extent of 30 cents in Alagu Perumalpatti, Sukkampatti Udkadai, Musiri Taluk, Trichy District, without notice to the petitioner.

For Petitioner : Mr.D.Senthil

For Respondents 1to4 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed seeking a direction to the second and third respondents, with the help of the fourth respondent, not to survey the lands in Survey No.88/11B to an extent of 30 cents in Alagu Perumalpatti, Sukkampatti Udkadai, Musiri Taluk, Trichy District, without notice to the petitioner.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 4.

3. The grievance of the petitioner is that without notice to her, the third respondent is said to have taken steps to survey the land belonging to her on the application filed by the fifth respondent.

4. Earlier, the petitioner has given a representation to the first respondent/District Collector, Trichy District, to issue a direction to the third respondent/Surveyor, not to survey the property. From the perusal of the records, it is seen that there is a civil dispute pending between the petitioner and the fifth respondent and further, an application said to have been filed by the fifth respondent for measuring the property. If at all the petitioner has any grievance against the fifth respondent and if any civil dispute exists between them, it is always open to the petitioner to approach the Civil Court concerned seeking appropriate remedy and she cannot seek for a direction to prevent the official respondents from discharging their official duty. In the above circumstances, the relief sought for by the petitioner in the present Writ Petition cannot be granted. Hence, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

SML

To

1.The District Collector,
Collectorate Building,
Trichy District.

2.The Tahsildar,
Taluk Office,
Musiri Taluk,
Trichy District.

3.The Surveyor,
Taluk Office,
Musiri Taluk,
Trichy District.



4.The Inspector of Police,
Musiri Police Station,
Musiri, Trichy District.

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+1CC TO MR.D.SENTHIL, Advocate Sr. No.71074

Order made in
W.P. (MD) No.12874 of 2017
Dated: 24.06.2019

SMR (CO)
TR (04.07.2019) 3P 6C