



WEB COPY

W.P.(MD)No.7263 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7263 of 2020

and

WMP (MD)No.6702 of 2020

K.Murugesn

... Petitioner

Vs.

1.The Tahsildar,
Pugalur Taluk,
Karur District.

2.The Surveyor,
Paramathi Sub Circle,
Pugalur Taluk,
Karur District.

3.Karuppannagounder

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for records in pursuant to the impugned order passed by the 2nd respondent vide his proceedings in Ref.No.36/2020, dated 26.02.2020 and quash the same as illegal.

For Petitioner	: Mr.K.Balasubramani
For R1 & R2	: Mr.R.Sethuraman
	Special Government Pleader
For R3	: Mr.K.Suresh

ORDER

This Writ Petition has been filed to quash the proceedings in Ref.No.36/2020, dated 26.02.2020 on the file of the second respondent.

2.Heard Mr.K.Balasubramani, learned counsel appearing for the petitioner, Mr.R.Sethuraman, learned Special Government Pleader appearing for the first and the second respondents and Mr.K.Suresh, learned counsel appearing for the third respondent.

3.According to the petitioner, he is the owner of the property in S.F.Nos.295/2A, 489/2,5, 456/1,2,5, 457/A and 225 situated at Nedungur Village and S.F.No.379/B5 at P.Anaipalayam Village, Karur District, by way of settlement deed and the same was registered. While so, the third respondent having vengeance against the petitioner's family, has filed a civil suit in O.S.No.462 of 2018 before the District Munsif, Karur, for permanent injunction and the same is pending for adjudication. At this juncture, the second respondent has issued the impugned notice dated 26.02.2020 to survey



the land in S.F.Nos.453/A2 and 456/A2 at Nedungur Village. Challenging the said notice, the petitioner has filed the present writ petition.

4.Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the first and the second respondents, on instructions, would submit that the second respondent has surveyed the property in respect of the Survey No.453/A2 based on the application submitted by the third respondent. Insofar as S.No.456/A2 is concerned, the second respondent has not surveyed the property, since there is a dispute pending between the parties before the civil Court. He further submitted that the parties concerned are also not disputing the said fact.

5.Recording the aforesaid submission made by the learned Special Government Pleader appearing for the first and the second respondents, this Writ Petition is closed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd/Ns

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Tahsildar,
Pugalur Taluk,
Karur District.

2.The Surveyor,
Paramathi Sub Circle,
Pugalur Taluk,
Karur District.

+1 CC to M/s.GP (SR-13913[F] dated 12/08/2020)

**W.P. (MD)No.7263 of 2020
and
WMP (MD)No.6702 of 2020**