



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.04.2021**

CORAM

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.20370 of 2014

G.Muniappan @ Muniyandi

.. Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District,
Madurai.
3. The Tahsildar,
Periyur Taluk,
Madurai District,
Madurai.
4. The Village Administrative Officer,
Periyur Village,
Madurai District.
Madurai.
5. The Taluk Surveyor
Periyur Village,
Madurai District,
Madurai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents and in particular the 3 to 5th respondent to dispose of petitioner's representation dated 01.09.2014 and direct the respondents not to alter petitioner's land in Survey number 7/11 issued by the 3rd respondent proceeding through its number 8468/2007/C5 dated 15.06.2007 at 84 Saptur Village, Periyur Taluk, Madurai District from Punja Classification to any other kind of land and not to survey the land without any written notice to petitioner under the Tamil Nadu Patta Pass Book Act, 1983 within a stipulated time.

For Petitioner : Mr.S.Krishnan

For Respondents : Ms.M.Rajeswari,
Government Advocate.



ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, forbearing the respondents from conducting any survey in the subject property.

2. According to the petitioner, there is already a suit pending between the petitioner and one Rajarathinam, in O.S.No.135 of 2013, before the District Munsif Court, Thirumangalam. While so, the said Rajarathinam attempted to approach the respondents to conduct a survey in the property and it was refused due to the pending suit.

3. The petitioner also approached the respondents seeking for patta and the same was not considered. In the meantime, the petitioner has approached this Court for a direction to the third respondent not to conduct any survey in the property without issuing notice to the petitioner. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. Heard Mr.S.Krishnan, learned counsel appearing for the petitioner and Ms.M.Rajeswari, learned Government Advocate appearing for the respondents.

5. The case of the petitioner is that there is a pending suit between the petitioner and the above said Rajarathinam. The respondent shall await the result of the suit and thereafter, act upon any representation for survey or mutation of the revenue records.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

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+1 CC to M/s.SPL GP (SR-16760[F] dated 20/04/2021)

W.P. (MD) No.20370 of 2014
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JA(06.05.2021) 3P 7C