



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7707 of 2022

and

W.M.P.[MD]Nos.5822 & 5823 of 2022

WEB COPY

1.Muruganandham
2.K.Rathinasamy
3.Shanmugasundaram

... Petitioners

Vs.

1.The District Collector,
Office of the Collectorate,
Dindigul District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani, Dindigul.

3.The Tahsildar,
Office of the Tahsildar,
Palani,
Dindigul.

4.The Firka Surveyor,
Periyammappatti Firka,
Palani, Dindigul.

... Respondents

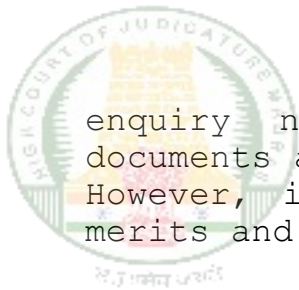
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned order of the third respondent in Na.Ka.No.1458/09/A5 dated 07.04.2022 and quash the same.

For Petitioners : Mr.Ramsundar Vijayaraj
for Mr.P.Saravanakumar
For Respondents : Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the impugned enquiry notice dated 07.04.2022, issued by the third respondent calling upon the petitioners to be present on 22.04.2022 at 11.00 am., while survey is being conducted in the subject lands.

2.According to the petitioners, they are the absolute owners of the lands which are proposed to be surveyed under the impugned



enquiry notice dated 07.04.2022. The petitioners have filed documents along with this writ petition to substantiate their claim. However, it is for the third respondent to consider the same on merits and in accordance with law.

3.Learned Additional Government Pleader appearing for the respondents would fairly submit that the impugned notice can be treated as a show cause notice to enable the petitioners to submit all their objections with regard to the proposed survey and till the objections are finally decided by the third respondent, the survey can be postponed. The said statement is recorded.

4.Learned Counsel for the petitioners has also not raised any serious objection for the submission made by the learned Additional Government Pleader for the respondents.

5.For the foregoing reasons, this writ petition is disposed of by directing the petitioners to submit a reply to the impugned enquiry notice dated 07.04.2022 issued by the third respondent stating all their objections within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the said reply, the third respondent shall pass final orders and decide as to whether survey can be conducted or not within a period of four [4] weeks, thereafter. Till final orders are passed, the survey proposed to be conducted shall be kept in abeyance.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

MR

To

1.The District Collector,
Office of the Collectorate,
Dindigul District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Palani, Dindigul.



3.The Tahsildar,
Office of the Tahsildar,
Palani,
Dindigul.

4.The Firka Surveyor,
Periyammappatti Firka,
Palani, Dindigul.

+1 CC to M/s.P. SARAVANAKUMAR, Advocate (SR-20610[F] dated
22/04/2022)

+1 CC to M/s.SPL.GP (SR-20885[F] dated 25/04/2022)

W.P. [MD]No.7707 of 2022
22.04.2022

MGJ(10.05.2022) 3P 7C