



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.13977 of 2021

K.Palanisamy

..Petitioner

Vs

- 1.The District Collector,
Collectorate Campus,
Dindigul District.
- 2.The District Revenue officer,
Office of the District Revenue Officer,
Dindigul District.
- 3.The Revenue Divisional officer,
Office of the Revenue Divisional Officer,
Dindigul District.
- 4.The Taluk Surveyor,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.
- 5.Ammakannu
- 6.Rajammal
- 7.Vengaiyee
- 8.Rajagopal

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent not to survey the lands situated in S.No.1037/1A1 and S.No. 948 at Ayyalour Village, Vedasandur Taluk, Dindigul District until the



decision is arrayed before the Civil Court.

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For Petitioner : Mr.R.Senthil Kumar

For Respondents: Mr.D.Gandhiraj
1 to 5 Special Govt.Pleader

For Respondents: Mr.J.Anand Kumar
6 and 7

For Respondents : No appearance
7 and 8

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing the first respondent not to survey the lands situated in S.No.1037/1A1 and S.No.948 at Ayyalour Village, Veda sandur Taluk, Dindigul District until the decision is arrayed before the Civil Court.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the respondents 1 to 5, on instructions, would submit that proceedings pending before the Revenue Divisional Officer, Dindigul District, in respect of the subject-matter in issue is already over and that the authorities can proceed with the matter



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4.However a perusal of the papers would reveal that already a civil suit filed by the Writ Petitioner for the very same relief as sought for in the present Writ Petition, is pending in O.S.No.176 of 2011, on the file of the District Munsif Court, Vedasandur,Dindigul District. The Petitioner can very well agitate his claim before the Court below for necessary relief in the pending suit. Further, the Petitioner cannot sought for similar relief in two different forums and as such, the present Writ Petition filed by the Writ Petitioner is not maintainable and hence, the same is liable to be dismissed.

5.Accordingly,the Writ Petition stands dismissed. No costs.

22.11.2022

Index : Yes/No

Internet:Yes/No

vsn

To

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3.The Revenue Divisional officer,
Office of the Revenue Divisional Officer,



Dindigul District.

4. The Taluk Surveyor,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN

W.P(MD)No.13977 of 2021

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