



WP(MD)N.26705 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26705 of 2022

M.Raja

... Petitioner

Vs

1.The Tahsildar,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

2.The Taluk Surveyor,
Kodaikanal Taluk Office,
Kodaikanal,
Dindigul District.

3.Devadoss

4.Savithri

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to forbear the respondents 1 and 2 from conducting survey in petitioner's patta land in Old Nos.S.F.No. 399/7/1A and 399/7/1B and New No.TS.No.3 and 4 for an extent of 98 cents and 32 cents, is situated at Ward. D, Block No.20 in Seenivasapuram Kodaikanal Town, Kodaikanal Taluk, Dindigul District while pending adjudication regarding the validity of Right of respondents 3 and 4 in O.S.No. 110 of 2014 on the file of the Sub Court, Palani (Camp Court, Kodaikanal).



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WP(MD)N.26705 of 2022

For Petitioner : Mr.K.Arunraj
For Respondents: Mr.C.Satheesh (for R1 & R2)
Government Advocate

ORDER

This petition has been filed seeking for issuance of a Writ of Mandamus to forbear the respondents 1 and 2 from conducting survey in petitioner's patta land in Old Nos.S.F.No.399/7/1A and 399/7/1B and New No.TS.No.3 and 4 to an extent of 98 cents and 32 cents, situated at Ward. D, Block No.20 in Seenivasapuram Kodaikanal Town, Kodaikanal Taluk, Dindigul District while pending adjudication regarding the validity of Right of respondents 3 and 4 in O.S.No.110 of 2014 on the file of the Sub Court, Palani (Camp Court, Kodaikanal).

2.When the matter came up for hearing, the learned Government Advocate, who takes notice on behalf of the respondents 1 and 2, produced a copy of the proceedings dated 17.11.2022 sent by the Tahsildar, Kodaikanal, wherein it was held that already a claim was made by one Habib Rahman, who was the petitioner in W.P(MD).No.8624 of 2021, through representation dated 22.03.2021 seeking issuance of patta in Ward D, Block 20, Survey No.3 to an extent of 2.48 cents. As per order of this Court dated 13.12.2021 in W.P(MD).No.8624 of 2021, enquiry was held on 08.09.2021 and after enquiry,



WP(MD)N.26705 of 2022

it was found that there are 3 suits viz., O.S.No.32 of 2013 on the file of the District Munsif Court, Kodaikanal, O.S.No.110 of 2014 on the file of the Sub-Court, Palani and O.S.No.55 of 2015 on the file of the District Munsif Court, Kodaikanal and one CrI.O.P(MD).No.7261 of 2015 on the file of this Court are pending. Therefore, the claim made by one Rabeen Rahman was rejected. Accordingly, the learned Government Advocate submitted that nothing survives for further adjudication in this petition as already the same was considered and rejected by the Tahsildar, Kodaikanal.

3.Recording the submission of the learned Government Advocate, the Writ Petition is closed. No costs.

28.11.2022

Index : Yes/No

Internet:Yes/No

Rmk

To

1.The Tahsildar,
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Kodaikanal,
Dindigul District.

2.The Taluk Surveyor,
Kodaikanal Taluk Office,
Kodaikanal,
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WP(MD)N.26705 of 2022

V.BHAVANI SUBBAROYAN,J.,

Rmk

W.P(MD)No.26705 of 2022

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