



W.P.No.10069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10069 of 2023
and
W.M.P.Nos.10111 & 10112 of 2023

D.Muthu Rama Chandramurthy

...Petitioner

Vs

- 1.The District Collector,
Tiruppur District, Tiruppur.
- 2.The District Registrar,
Tiruppur District, Tiruppur.
- 3.The Revenue Divisional Officer,
Udumalpet, Tiruppur District.
- 4.The District Revenue Officer,
Tiruppur District, Tiruppur.
- 5.The Additional Director of Surveyor,
Tiruppur District,
Tiruppur.
- 6.The Taluk Deputy Surveyor,
Madathukulam Taluk,
Tiruppur District.



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7.The Tahsildar,
Madathukulam Taluk,
Tiruppur District.

8.The Sub-Registrar,
Sub-Registrar Office,
Kaniyur, Madathukulam Taluk,
Tiruppur District.

9.The Village Administrative Officer,
Cholamadevi Village,
Madathukulam Taluk,
Tiruppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 7th respondent in Ref.No.A.Aa Petition 426/2023 dated 20.03.2023 and quash the same.

For Petitioner : Mr.B.Kumarasamy

For Respondents : Ms.Akila Rajendran,
Government Advocate

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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2. The order under challenge is only a notice calling upon the petitioner's presence for the survey to be conducted in the lands in S.F.No.162/A1D, Cholamadevi Village, Madathukulam Taluk, Tiruppur District.

3. This Court is of the view that a challenge to summons for a survey to be conducted cannot be entertained by this Court, exercising its powers under Article 226 of the Constitution of India, since no cause of action has arisen for the petitioner to challenge the proceedings. Nevertheless, it is always open to the petitioner to participate and raise his, if any, by way of submitting the documents when such a survey is being conducted. As such, the present Writ Petition is pre-mature.

4. Accordingly, the Writ Petition stands dismissed with liberty to the petitioner to participate in the enquiry/survey proceedings. No costs. Consequently, connected miscellaneous petitions are closed.

31.03.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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