



W.P.No.18944 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**W.P.No.18944 of 2023**

Mohandoss

... Petitioner

-Vs-

1. The Tahsildhar  
Office of the Tahsildhar,  
Coimbatore North Taluk Office,  
Coimbatore District – 641 018.
2. The Block Development Officer,  
Office of the Block Development Officer,  
Periyanaickenpalayam,  
Coimbatore District – 641 020.
3. The President,  
Pannimadai Village Panchayat,  
Coimbatore District – 641 017.
4. M.Anbarasu
5. M/s.VKV Promoters and Builders,  
Rep. by its Partner K.Sundarraaj,  
No.2,/115A, Manin Road,  
Somayanur,  
22<sup>nd</sup> Nanjudapuram,  
Coimbatore – 641 108.

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to dispose of the petitioner's representation dated 17.05.2023 and consequently permit the petitioner to submit his explanation in field survey conducted by the Respondents 1 to 3 herein enquiry.

For Petitioner : Mr.J.Jayan

For Respondents : Mr.N.Naveen Kumar,  
(for R1 to R3) Government Advocate

**ORDER**

The Writ Petition has been filed seeking a direction to the respondents 1 to 3 to dispose of the petitioner's representation dated 17.05.2023 and permit the petitioner to submit his explanation in field survey conducted by the Respondents 1 to 3 herein.

2. The petitioner has given a representation to the respondents 1 to 3 stating that he is a resident of V.KV.Avenue, Thadagam Road, Pannimadai, Coimbatore District and some of the third parties who are in possession of the property adjacent to the petitioner's property in V.K.V.Avenue, attempted to demolish the compound wall and hence appropriate action shall be taken against them to protect the petitioner's possession.



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3. It is also submitted by the petitioner that he has also filed a civil suit in O.S.No.567 of 2022 on the file of the II Additional District Court, Coimbatore, seeking injunction against the persons who are attempted already. When the petitioner has already moved to civil Court seeking injunction against the persons who are attempting to demolish the compound wall, it is not open to the petitioner to seek any relief before the Revenue Authorities and consequential direction sought for by the petitioner to dispose of his representation dated 17.05.2023 cannot be granted.

4. At this juncture, the learned counsel for the petitioner submitted that the Division Bench of this Court in W.P.No.5975 of 2023 filed by the 4<sup>th</sup> respondent herein, directed the respondents 1 to 3 to conduct field survey and the petitioner herein may be given liberty to participate in the field survey to be conducted by the respondents 1 to 3. This Court cannot grant such a liberty as the same would amount the clarifying the orders passed by the Hon'ble Division Bench. Hence, the said submission of the counsel is rejected.



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**S.SOUNTHAR, J.**

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5. In view of the above, the relief sought for by the petitioner cannot be granted by this Court. However, it is open to the petitioner to file an application seeking clarification of the order passed in W.P.No.5975 of 2023 before the very same Bench, if so advised.

6. Accordingly, the writ petition stands dismissed. No costs.

**04.07.2023**

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Index: Yes/No

Speaking order/Non Speaking order

To

1. The Tahsildhar  
Office of the Tahsildhar,  
Coimbatore North Taluk Office,  
Coimbatore District – 641 018.
2. The Block Development Officer,  
Office of the Block Development Officer,  
Periyanaickenpalayam,  
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