



W.P.No.28320 of 2021

ORDER

WEB COPY This writ petition has been filed to issue a Writ of Certiorarified

Mandamus calling for the entire records in Na.Ka.A1/1309/2020 dated 07.12.2021 from the file of the 1st respondent, quash the same and further direct the first respondent to defer the measurement of the properties in S.Nos.142/4, 142/5 and 142/16, Kachimailur village, Mangalur Panchayat Union, Veppur Taluk, Cuddalore District after the judgment to be passed in O.S.No.55 of 2021 as admitted by the 2nd respondent herself.

2.When the writ petition is pending, this Court appointed an Advocate Commissioner and in the presence of Advocate Commissioner, the first respondent was directed to measure the property of the petitioner, after giving notice to the petitioner and the second respondent and the Advocate Commissioner also, after inspecting the property, filed the report, which shows that the petitioner only has encroached the property and he has already filed the civil Suit in O.S.No.55 of 2021 on the file of the Principal District Munsif, Thittakudi, for declaration and injunction, which is pending. As the pendency of the civil suit, the writ petitioner has to work



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out his remedy before the civil Court, but he has unnecessarily dragged the second respondent before this Court.

3.Considering the report of the Advocate Commissioner, the writ petition is dismissed, with direction to the petitioner to pay costs of Rs.25,000/- to the second respondent within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
speaking order: Yes/No
Neutral Citation: Yes/No
sms

29.11.2023

To
The Revenue Tahsildar
Veppur, Cuddalore District.



WEB COPY



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P.VELMURUGAN,J.

sms

W.P.No.28320 of 2021
and
WMP.No.29904 of 2021

29.11.2023