



WEB COPY

W.P. No.31825 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.31825 of 2023 and
W.M.P. Nos.31435 and 31437 of 2023

G.Kumaresan

... Petitioner

Vs.

1. The District Collector
Tirupattur District
Tirupattur
2. The District Revenue Officer
Tirupattur District, Tirupattur
3. The Revenue Divisional Officer
Tirupattur Taluk,
Tirupattur District
4. The Tahsildar
Tirupattur Taluk
Tirupattur District
5. The Inspector of Police
Jolarpettai Police Station
Jolarpettai
Tirupattur Taluk
Tirupattur District
6. Mr.M.Sivaprakasam
The Tahsildar
Tirupattur Taluk
Tirupattur District
7. Govindaraj



8. Mari

9. Nachiammal

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.D1/4156/2022 dated 25.10.2023 (served on 31.10.2023) on the file of the 4th respondent, quash the same and forbearing the 4th respondent from surveying the petitioner's land in proceedings in Na.Ka.D1/4156/2022 dated 25.10.2023, situated in S.No.212/3, at Athanavur Mathura, Yelagiri Village, Tirupattur Taluk and District pending disposal of petitioner's appeal dated 30.09.2023 on the file of the 2nd respondent.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.P.Gurunathan

Additional Government Pleader
for R1 to R4

Mr.S.Sugendran

Additional Government Pleader for R5

ORDER

The Writ Petition is filed for a writ of Certiorarified Mandamus to call for the records relating to the proceedings in Na.Ka.D1/4156/2022 dated 25.10.2023 (served on 31.10.2023) on the file of the 4th respondent, quash the same and forbearing the 4th respondent from surveying the petitioner's land in proceedings in Na.Ka.D1/4156/2022 dated 25.10.2023, situated in S.No.212/3, at Athanavur Mathura, Yelagiri Village, Tirupattur Taluk and



District pending disposal of petitioner's appeal dated 30.09.2023 on the file of the 2nd respondent.

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2. Heard and perused the records.

3. It is seen that the petitioner has already filed a writ petition before this Court in W.P.No.23572 of 2023 and this Court by order dated 09.08.2023 disposed the petition directing the respondents to consider the petitioner's representation. Accordingly, the 3rd respondent disposed of the petitioner's representation by proceedings dated 02.09.2023. Aggrieved by the same, the petitioner filed a Second appeal, dated 30.09.2023 before the 2nd respondent and the same is pending. Subsequently, the seventh respondent filed a Writ Petition in W.P.No.23666 of 2023 to measure and demarcate the property and since the petitioner created trouble in performing their official duty, the fourth respondent/Tahsildar sought for police protection.



4. Since appeal is pending before the 2nd respondent, the petitioner is not entitled for the relief sought for in this writ petition.

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5. However, the 2nd respondent is directed to dispose of the appeal dated 30.09.2023 on merits and in accordance with law, within a period of two months from the date of receipt of copy of this order, after giving notice and giving opportunity of hearing to all the interested parties/rival claimant if any.

6. With the above directions, the writ petition is dismissed at the admission stage itself. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

06.11.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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Tirupattur District



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P.VELMURUGAN. J.

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