



WEB COPY

WMP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Second day of June Two Thousand and Twenty
Three
PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

WMP(MD) No.9599 and 11738 of 2023

IN

WP(MD) No.9069 of 2023

WMP(MD) .9599 & 11738/2023 :

ADITYA SHIVARAM RAJA

... PETITIONER/3RD PARTY
/PROPOSED RESPONDENT NO.7
IN WMP(MD) .9599/2023

V.S.SANDEEP

... PETITIONER/PROPOSED RESPONDENT NO.7
IN WMP(MD) .11738/2023

Vs

1 V.ESWARAN

... 1ST RESPONDENT/WRIT PETITIONER
IN BOTH WP'S

2 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE,
THENI DISTRICT.

3 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
PERIYAKULAM, THENI DISTRICT.

4 THE TAHSILDAR
OFFICE OF THE TAHSILDAR,
THENI DISTRICT.

5 THE SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE,
THENI DISTRICT.

6 THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
THENI DISTRICT.

7 THE INSPECTOR OF POLICE
THENI TOWN POLICE STATION,
THENI DISTRICT.

... 2 TO 7 RESPONDENTS/RESPONDENTS
IN WMP(MD) .9599/2023

... RESPONDENTS 1 TO 6/RESPONDENTS
IN WMP(MD) .11738/2023



WP (MD) . 9069/2023 :

V.ESWARAN

... PETITIONER

VS

1 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE,
THENI DISTRICT.

2 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
PERIYAKULAM, THENI DISTRICT.

3 THE TAHSILDAR
OFFICE OF THE TAHSILDAR,
THENI DISTRICT.

4 THE SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE,
THENI DISTRICT.

5 THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
THENI DISTRICT.

6 THE INSPECTOR OF POLICE
THENI TOWN POLICE STATION,
THENI DISTRICT.

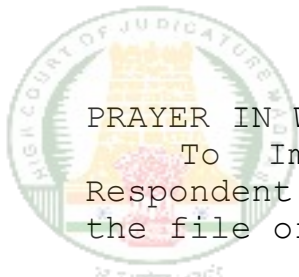
... RESPONDENTS

(*) 7 ADITYA SHIVARAM RAJA
S/O.N.R.ALAGARAJA, ANJANTHIRIL,
2, GANDHIJI STREET, NRT NAGAR,
THENI - 625 531.

(*) (R7 IS IMPEADED VIDE COURT ORDER DATED
22.06.2023 IN WMP (MD) .9599/2023 IN WP (MD) .
9069/2023)

() 8 V.S.SANDEEP**
S/O.LATE.S.V.SWAMINATHAN,
NO.38-A, BHAGAVATHY AMMAN KOVIL STREET,
THENI.

() (R8 IS IMPEADED VIDE COURT ORDER DATED**
22.06.2023 IN WMP (MD) .11738/2023 IN WP (MD) .
9069/2023)



PRAYER IN WMP(MD).9599/2023 :

To Implead the petitioner / proposed respondent as 7th Respondent in the above Writ Petition in WP(MD).No.9609 of 2023 on the file of this Honble Court.

Prayer in WMP(MD). 11738/ 2023 :

To permit the petitioner to implead himself in the above writ petition in WP (MD) No.9069 of 2023 as 7th respondent.

Prayer in WP(MD). 9069/ 2023 :

To issue a Writ of Mandamus, directing the 3rd respondent to survey the land in S. Nos.247/2, 251, 252, 459 1695/1A, 514/9, 1745 and 495 situated at Theni Allinagaram Village, Theni District and directing the respondents 4 to 6 to give adequate police protection to the petitioner based upon the representation of the petitioner dated 08.04.2023 within the time stipulated by this Honble High Court.

COMMON ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.SHYLLAPPA KALYAN N, Advocate for the petitioner in WMP(MD).9599/2023 and M/S.K.K.UDAYAKUMAR, Advocate for the petitioner in WMP(MD). 11738/2023 and of MR.D.S.NEDUNCHEZHIAN, Government Advocate on behalf of the Respondent Nos.2 to 7 and MR.RAM SUNDAR VIJAYRAJ, Advocate on behalf of the 1st Respondent in both WMP's the court made the following order:-

Both these petitions have been filed by third parties to the Writ Petition seeking to implead themselves as further respondents in the Writ Petition.

2.The Writ Petition has been filed seeking a Mandamus against the third respondent to survey the land with respect to the lands in S.No.247/2, 251, 252, 459, 1695/1A, 514/9, 1745 and 495 at Theni-Allinagar Village, Theni District. Both the impleading applicants have objections with respect to conduct of survey to a portion of the land.

3.The learned Counsel for the Writ Petitioner stated that for a substantial portion of the land, survey had been conducted, but since objections have been raised for the portions, for which objections have been raised, survey was not conducted. Since these petitioners will have to be heard in the Writ Petition, both these petitions are allowed.

4.The Registry may implead as seventh respondent, the petitioner in W.M.P.(MD)No.9599 of 2023 and as the eighth respondent, the petitioner in W.M.P.(MD)No.11738 of 2023 in the Writ Petition and carry out necessary amendments.



5. Both the newly impleaded seventh and eighth respondents may file a counter. Let a status report be filed by the third respondent relating to the survey conducted, the objection received and the further action taken on the objection filed by the newly impleaded respondents.

6. For filing such counter and status report, list the matter on 13.07.2023.

sd/-

22/06/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cmr

TO

1 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE,
THENI DISTRICT.

2 THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
PERIYAKULAM, THENI DISTRICT.

3 THE TAHSILDAR
OFFICE OF THE TAHSILDAR,
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OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
THENI DISTRICT.

6 THE INSPECTOR OF POLICE
THENI TOWN POLICE STATION,
THENI DISTRICT.

ORDER

IN

WMP(MD) No.9599 and 11738 of 2023

IN

WP(MD) No.9069 of 2023

Date :22/06/2023