



W.P(MD)No.11678 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.05.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P(MD)No.11678 of 2023

and

W.M.P(MD)No.10141 of 2023

G.Sumathy

... Petitioner

-VS-

1.The Tahsildar,
Pattukottai Taluk, Thanjavur District.

2.The Head Surveyor,
Pattukottai Taluk, Thanjavur District.

3.The Firka Surveyor,
Pattukottai Taluk, Thanjavur District.

4.The Village Administrative Officer,
Thiruchitrambalam Village (East),
Thanjavur District.

5.R.Sri Ranjani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the respondents no.1 to 3 herein not to survey No. 436/12A, Thiruchitrambalam East Village, Pattukottai Taluk, Thanjavur District until disposal of the original suit O.S.No.158/2022 on the file of learned Sub-Court, Pattukottai, Thanjavur District.



W.P(MD)No.11678 of 2023

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the official respondents.

2.It is seen that the fifth respondent filed W.P(MD)No.2691 of 2023. This Court disposed of the said Writ Petition on 03.03.2023 with certain directions.

3.I am more than satisfied that the said direction will protect the rights of the petitioner. The petitioner can very well offer her objection before the Tahsildar. The Tahsildar is bound to pass a speaking order dealing with the objections of the petitioner. If the Tahsildar overrules the petitioner's objections, the survey shall not be done immediately. The petitioner should be given breathing time of six weeks. The petitioner can move either the jurisdictional civil Court or this Court questioning the order, if it is adverse to the petitioner. Since the petitioner's rights have been adequately taken care, there is no need to issue any notice to the fifth respondent.



W.P(MD)No.11678 of 2023

WEB COPY

4. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11.05.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
cmr

To

1. The Tahsildar,
Pattukottai Taluk, Thanjavur District.

2. The Head Surveyor,
Pattukottai Taluk, Thanjavur District.

3. The Firka Surveyor,
Pattukottai Taluk, Thanjavur District.

4. The Village Administrative Officer,
Thiruchitrambalam Village (East),
Thanjavur District.



WEB COPY



W.P(MD)No.11678 of 2023

G.R.SWAMINATHAN, J.

cmr

W.P(MD)No.11678 of 2023

11.05.2023