



W.P(MD)No.14363 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14363 of 2022

and

W.M.P.(MD)Nos.10258 and 10260 of 2022

K.Thiruneelakandan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Aranthangai,
Pudukkottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

4.Jeyaraman

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned communication in Na.Ka.S.FLA.No.482/2020 dated 24.06.2022 and quash the same as illegal and consequently forbearing the 3rd respondent from interfering into the petitioner's property portion in comprised in Old Natham Survey No.43/1 in New Survey



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No.369/39, situated at Arasarkulam Vadapathi, Aranthangi Taluk, Pudukkottai District.

For Petitioner : Mr.E.Balasubramanian

For Respondents : Mrs.S.Jeyapriya,
Government Advocate for R1 to R3.
Mr.R.Suriyanarayanan for R4.

ORDER

Heard the learned counsel on either side.

2.The civil dispute between the petitioner on the one hand and the fourth respondent on the other ended in compromise on 20.04.1992 in O.S.No.237 of 1990 on the file of the Sub Court, Pudukottai. It had been agreed that the fourth respondent will have claim only over 24 cents of land in S.No.43/1. The said 24 cents of land is part of a larger extent of 58 cents of land. The fourth respondent makes it clear that he has no claim other than the 24 cents. The petitioner apprehends that while conducting survey exercise, the fourth respondent may claim a larger extent of land and that is why, he has challenged the impugned communication dated 24.06.2022 issued by the Tahsildar, Aranthangi. Since the stand of the fourth respondent has been made it clear, it is not necessary to interfere with impugned communication. The third



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respondent will cause survey to be done on 27.03.2023 at 10.00 a.m. The

petitioner as well as the fourth respondent shall be present on the said date.

The petitioner will not given any independent notice. The four boundaries for 24 cents of land on which alone the fourth respondent has the claim and title will be duly earmarked and shown to the parties. Survey report shall also be prepared and served on the parties.

3.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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Pudukkottai District,
Pudukkottai.

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Pudukkottai District.

3.The Tahsildar,
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G.R.SWAMINATHAN, J.

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