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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.06.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD)No.14989 of 2023**

**and**

**W.M.P(MD)Nos. 12617 and 12618 of 2023**

K.Indira ... Petitioner

Vs.

1.The Tahsildar,
Vadipatti Taluk Office,
Vadipatti,
Madurai District.

2.The Sub Registrar,
Sub Registrar Office,
Vadipatti,
Madurai District.

3.The Firka Surveyor,
Taluk Office,
Vadipatti Taluk,
Madurai District.

4.Palchamy @ Palanichamy

5.Indirani

6.Ponselvi ... Respondents

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PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records pertaining to the impugned Notice vide No.Nil dated Nil issued by the 3rd respondent and quash the same as illegal.

For Petitioner : Mr.A.Arputharaj
Advocate.

For R1 and R3 : Mr.N.Muthuvijayan
Special Government Pleader

For R2 : Mr.M.Prakash

For R4 and R5 : Mr.R.Venkatesh

**ORDER**

This writ petition is misconceived. It had been filed in the nature of certiorari questioning a notice issued by the third respondent, Firka Surveyor, Taluk office at Vadipatti, who had acted in accordance with a direction of an earlier order of the learned Single Judge of this Court dated 11.05.2023 in W.P.(MD)No.11572 of 2023. That writ petition had been filed by the fifth respondent herein and directions were given to survey the lands. The petitioner herein was also impleaded as the third respondent in the said writ petition. As a consequence of that order, the authorities had issued notice to conduct survey.

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2. Let them proceed to conduct survey. It is also specifically contended by the learned Special Government Pleader that the petitioner has no right or title. A judgment of the Civil Court in O.S.No.90 of 2021 (K.Indira Vs. Palsamy and Palanisamy) dated 17.10.2022, is also produced. The suit had been dismissed for default. Even if that is restored, the petitioner cannot claim any right.

3. A specific direction is given to the respondents 1 to 3, to proceed further to conduct survey and file a report in accordance with the earlier directions issued in W.P.(MD)No.11572 of 2023.

4. Writ petition is dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

**23.06.2023**

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
pnn

**C.V.KARTHIKEYAN, J.**

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To

1.The Tahsildar, Vadipatti Taluk Office, Vadipatti, Madurai District.

2.The Sub Registrar, Sub Registrar Office, Vadipatti, Madurai District.

3.The Firka Surveyor, Taluk Office, Vadipatti Taluk, Madurai District.

ORDER
IN
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