



W.P.(MD)No.17808 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17808 of 2023

and

W.M.P.(MD)Nos.14868 and 14869 of 2023

P.Ponnusamy

... Petitioner

versus

1. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

2. The Taluk Surveyor,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

3. Kumar Naicker

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice issued by the 1st respondent vide his Reference : W.P.(MD)No.11557 of 2023 dated



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13.06.2023 and quash the same as illegal and consequently, direct the 1st and 2nd respondents herein not to interfere with the petitioner's peaceful possession and enjoyment of the property with regard to Survey No.1170/2 and 1170/3 situated at Kalvarpatti Village, Vedasandur Village, Dindigul District.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The petitioner has filed this writ petition challenging the Notice dated 13.06.2023 issued by the first respondent, calling upon him to submit his objections, if any, on the application submitted by the 3rd respondent for survey of his lands in Survey No.1170/2 and 1170/3 situated at Kalvarpatti Village, Vedasandur Village, Dindigul District.

2. The learned counsel appearing for the petitioner submits that with regard to the said property, two Civil Suits are pending before the



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concerned Civil Court. Therefore, the official respondents are not supposed to proceed with the survey.

3. The proceedings impugned in this writ petition is a notice calling upon the petitioner to submit his objections, if any. This notice appears to have been issued as per Section 10 of the Tamil Nadu Survey and Boundaries Act, 1923.

4. If the petitioner is having any objection for survey of the land, he can very well appear for the enquiry and submit his objections. The officials are supposed to take a decision based on the objections, if any, submitted by the petitioner. Further, the petitioner is also having an appeal remedy under Section 11 of the Tamil Nadu Survey and Boundaries Act, 1923. Therefore, this Court is not inclined to interfere with the impugned notice dated 13.06.2023 issued by the first respondent.



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5. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

26.07.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Tahsildar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

2. The Taluk Surveyor,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.



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B.PUGALENDHI, J.

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