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W.P.(MD)NO.21379 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21379 of 2015 AND
M.P.(MD)Nos.1 & 2 of 2015

Nagammal

... Petitioner

Vs.

1. The District Collector,
Theni District,
Theni.

2. The Tahsildar,
Uthamapalayam Taluk,
Theni District.

3. The Firka Surveyor,
Thevaram Firka,
Uthamapalayam Taluk,
Theni District.

4. Chellammal

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating with the impugned notice dated 13.11.2015 issued by the third respondent and quash the same as arbitrary and illegal and in consequence to forbear the respondents 2 and 3 from surveying the petitioner's land comprised in S.No.1329/1 & 2 in Pannaipuram Village, in Uthamapalayam Taluk, Theni District.



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For Petitioner : Mr.R.Suriya Narayanan

For R-1 to R-3 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

2. The fourth respondent could not be served.

3. It is seen that at the instance of the fourth respondent, the surveyor proposed to conduct survey of the petition-mentioned property. The petitioner was served with a copy of the notice. Challenging the same, the present writ petition came to be filed.

4. When the matter was taken up for final disposal, the learned Additional Government Pleader on instructions



from the jurisdictional Tahsildar submitted that since the lands are in the names of joint pattadars and since no partition has taken place, it is not possible to conduct survey. Virtually, the request of the fourth respondent has now been negatived.

5. Recording the said stand of the jurisdictional Tahsildar, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.08.2023

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

PMU

To:

1. The District Collector,
Theni District,
Theni.
2. The Tahsildar,
Uthamapalayam Taluk,
Theni District.
3. The Firka Surveyor,
Thevaram Firka,
Uthamapalayam Taluk,
Theni District.



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G.R.SWAMINATHAN,J.

PMU

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