



W.P(MD)No.26494 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26494 of 2023

and

W.M.P.(MD)No.22779 of 2023

T.Mahesh

... Petitioner

Vs.

1.The Executive Officer,
Achanputhur Town Panchayat,
Kadayanallur Taluk,
Tenkasi District.

2.The Tahsildar,
Taluk Office,
Kadayanallur,
Tenkasi District.

3.The Taluk Surveyor,
Taluk Office,
Kadayanallur,
Tenkasi District.

... 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 of the impugned report dated 17.10.2023 in Na.Ka.No.114/2023, passed by the 1st respondent along with the FMB



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Sketch and quash the same as illegal and direct the 3rd respondent to resurvey the land and submit a proper report along with the sketch.

For Petitioner : Mr.Chamundi Bose

For Respondents : Mr.S.RA.Ramachandran,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner filed W.P.(MD)No.14872 of 2023 for conducting survey of the lands purchased by him. The writ petition was disposed of on 23.06.2023. Pursuant to the said direction, the revenue authorities conducted survey on 12.10.2023. The petitioner wants survey to be done again.

3.If the survey authority had served the survey sketch and report and the applicant is still aggrieved, then he must move only the jurisdictional Civil Court and cannot come to the Writ Court for conducting survey again.



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4.However, in this case, neither the survey report nor sketch was given to the petitioner. Probably that led to the filing of this writ petition.

5.When the matter was taken up for hearing, the learned Additional Government Pleader served a copy of the survey sketch. It is undertaken that survey report will be served on the learned counsel for the petitioner in a day or two.

6.Recording this submission made by the learned Additional Government Pleader, this writ petition is disposed of. I make it clear that the petitioner's rights have not been gone into or adjudicated in this writ petition. The petitioner can very well establish his rights before the jurisdictional Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

06.11.2023

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

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G.R.SWAMINATHAN, J.

ias

To:-

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Tenkasi District.
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