



W.P(MD)No.27267 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27267 of 2023

and

W.M.P(MD)No.23405 of 2023

Murugesan

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Deputy Superintendent of Police,
Oddanchatram Taluk,
Dindigul District.
- 4.The District Revenue Officer,
Dindigul District,
Dindigul.
- 5.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.



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6.The Village Administrative Officer,
Devathur Village,
Oddanchatram Taluk,
Dindigul District.

7.The Taluk Firka Surveyor,
Oddanchatram Taluk,
Dindigul District.

8.The Sub Inspector of Police,
Ambilikakai Police Station,
Oddanchatram Taluk,
Dindigul District.

9.Vellusamy

10.Chinnasamy

11.Balasubramani

12.P.Chinnasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the official respondents 1 and 4 to 7 from widening the pathway in S.F.No.320/1 and 320/3 situated at Devathur Village, Oddanchatram Taluk, Dindigul District by uprooting the coconut trees, demolishing the petitioner bathroom and closing the bore well and consequently direct the respondents 1 and 4 to 7 to direct the private respondents to approach the civil Court in respect of the dispute prevailing between the petitioner and private respondents namely 9 to 12 respondents.



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For Petitioner : Mr.S.Gokulraj
For Respondents : Mr.M.Siddharthan
Additional Government Pleader
R.1, R.4 to R.7

Mr.A.Albert James
Government Advocate
for R.2, R.3 & R.8

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1, 4 to 7 and the learned Government Advocate appearing for the respondents 2, 3 and 8. Considering the nature of order to be passed, issuance of notice to the private respondents is dispensed with.

2. Survey No.320/3 is in the joint names of the writ petitioner and the private respondents. Survey No.320/1 is exclusively in the name of the writ petitioner.

3. I fail to understand as to how the official respondents can interfere in the matter. If the private respondents are intending to commit



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any illegal act, the writ Court cannot grant remedy. If the private respondents wanted to conduct any survey, the standard direction issued by this Court from time to time will have to be complied with. I have been consistently holding that the survey exercise can never lead to anybody's dispossession. No fencing activity can also take place. The only object of the survey exercise is to earmark the boundaries. Police aid will not extend to matters not contemplated by the orders of this Court.

4. With this observation, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

15.11.2023

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

To

1.The District Collector,
Dindigul District,
Dindigul.

4/6



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- 2.The Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Deputy Superintendent of Police,
Oddanchatram Taluk,
Dindigul District.
- 4.The District Revenue Officer,
Dindigul District,
Dindigul.
- 5.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
- 6.The Village Administrative Officer,
Devathur Village,
Oddanchatram Taluk,
Dindigul District.
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G.R.SWAMINATHAN, J.

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