



W.P(MD)No.28385 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28385 of 2023

and

W.M.P(MD)Nos.24425 & 24427 of 2023

Palkani

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

4.R.Chandra

... 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 third respondent in his survey notice in F.L.A.No. 79 of



W.P(MD)No.28385 of 2023

2023 dated 30.10.2023 and quash the same as devoid of merits and consequently set-aside the orders passed by this Court in W.P(MD)No. 24642 of 2023 dated 11.10.2023 which was obtained by the fourth respondent by abuse of process of law and suppression of fact.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 to R.3

Mr.Subbaiah for R.4

ORDER

Heard both sides.

2.The fourth respondent herein had filed W.P(MD)No.24642 of 2023 for conducting survey of the petition mentioned lands. The writ petition was disposed of on 11.10.2023 with certain directions. Pursuant to the said order, the third respondent has issued notice to the writ petitioner. The writ petitioner is yet to offer her objections. The petitioner is given liberty to offer her objections. The third respondent is bound to consider the petitioner's objection and pass a speaking order. If the third respondent overrules the petitioner's objections, he cannot



W.P(MD)No.28385 of 2023

conduct the survey immediately thereafter. He has to give a breathing time of six weeks to the petitioner so as to enable the petitioner to obtain any restraint order against conducting of survey. Since the petitioner's rights are adequately protected, I do not want to interfere with the impugned notice at this point of time.

3.Reiterating the directions earlier given, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

01.12.2023

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

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3/4



W.P(MD)No.28385 of 2023

G.R.SWAMINATHAN, J.

MGA

3.The Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

W.P(MD)No.28385 of 2023

and

W.M.P(MD)Nos.24425 & 24427 of 2023

01.12.2023