



W.P(MD)No.30199 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30199 of 2023

and

W.M.P.(MD)Nos.26032 & 26216 of 2023

Ramamoorthy

... Petitioner

Vs.

- 1.The District Collector,
District Collectorate,
Thanjavur.
- 2.The District Revenue Officer,
Thanjavur District.
- 3.The Revenue Divisional Officer,
Thanjavur District.
- 4.The Tahsildar,
Budalur Taluk,
Thanjavur District.
- 5.The Superintendent of Police,
Thanjavur District.
- 6.The Inspector of Police,
Budalur Police Station,
Budalur Taluk,
Thanjavur District.
- 7.Chandrasekaran
- 8.R.Rajasekaran



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9.V.Paramasivam

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents not to interfere into the petitioner's possession and enjoyment in SF No.106/6 with an extent of 0.18.5 Ares and the Survey Numbers 106/9B with an extent 30.5 ares, agricultural Punja land Pudhupatti Vilage, Budhalur Taluk, Thanjavur District till the final adjudication of the civil suit in O.S.No. 130/2023.

For Petitioner : Mr.R.Paranjothi

For Respondent : Mr.M.Siddharthan
Additional Government Pleader for R1 to R4

: Mr.A.Albert James
Government Advocate for R5 & R6

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for R1 to R4 and the learned Government Advocate for R5 & R6.

2. The petitioner claims to be a cultivating tenant in respect of the petition mentioned land. The civil suit is also pending in this regard. The petitioner's apprehension is that in the guise of conducting survey, he may be dispossessed.



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3. I have been consistently holding that the object of conducting survey is to earmark the four boundaries and nothing else. The boundary stones can be installed. Therefore, the petitioner's apprehension is misplaced. In any event, when a civil suit is pending between the parties, the petitioner has to necessarily move the jurisdictional civil Court for relief.

4. With this observation and liberty to the petitioner to pursue the civil remedy, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

20.12.2023

Index : Yes / No
Internet : Yes/ No
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To

1.The District Collector,
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Thanjavur.

2.The District Revenue Officer,
Thanjavur District.

3.The Revenue Divisional Officer,
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G.R.SWAMINATHAN, J.

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- 4.The Tahsildar,
Budalur Taluk,
Thanjavur District.
- 5.The Superintendent of Police,
Thanjavur District.
- 6.The Inspector of Police,
Budalur Police Station,
Budalur Taluk,
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