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W.P.No.16283 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16283 of 2024

Varadharajan @ Varadharaj

.. Petitioner

Vs

- 1 The District Collector
Kallakurichi District
- 2 The Tahsildar
Chinnasalem Taluk
Chinnasalem
Kallakurichi District
- 3 The Head Surveyor
Chinnasalem Taluk Office
Kallakurichi District
- 4 Ganapathi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 to hear the petitioner's objection dated 08.06.2024 before surveying the land in 68/2A, 68/2B and 68/8, Moongilpadi Village, Chinnasalem Taluk, Kallakurichi District.



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For Petitioner
For R1 to R3

Mr. R. Senthil
Mr.A. Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the respondents 2 and 3 to hear the petitioner's objection dated 08.06.2024 before surveying the land in 68/2A, 68/2B and 68/8, Moongilpadi Village, Chinnasalem Taluk, Kallakurichi District.

2. The case of the petitioner is that since the suit in O.S.No.324 of 2023 for declaration of title and permanent injunction is pending on the file of the Additional Subordinate Judge, Kallakurichi, he has given objections to survey the 4th respondent's land. In the writ petition filed by the 4th respondent viz., W.P.No10927 of 2024, this Court, by order dated 23.04.2024, directed the Revenue authorities to survey the land, after giving notice to the neighbouring land owners. The petitioner, as a neighbouring land owner, filed this writ petition with the above prayer.



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3. Therefore, this Court is of the view that survey shall be done in the presence of both the parties, which will also enable the parties to establish their rights before the civil Court. Accordingly, let the Revenue officials conduct the survey, in the presence of all the parties and give a report to the parties concerned.

With the above observation, this petition is disposed of. No costs.

25.06.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

To

- 1 The District Collector
Kallakurichi District
- 2 The Tahsildar
Chinnasalem Taluk
Chinnasalem
Kallakurichi District
- 3 The Head Surveyor
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Kallakurichi District



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N.SATHISH KUMAR, J.

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