



W.P.No.19833 of 2024

N.SATHISH KUMAR, J.

This Writ Petition is listed today under the caption 'for being mentioned' at the instance of the learned counsel third party.

2. The learned counsel for the third party would submit that the Order in W.P.No.19833 of 2024 has been obtained by suppression of material facts. The present third party is none other than the purchaser from the defendant in O.S.No.383 of 2010. The suit filed by one N.Jayalakshmi for permanent injunction in respect of survey No.177/14 has been decreed in her favour. It appears that the writ petitioner has purchased the property during the pendency of the above suit and suppressing the decree and judgment in the above suit, the writ petitioner has filed the Writ Petition as if he is the absolute owner of the property and there is no dispute.

3. It is to be noted that even before the Orders came to be passed in the Writ Petition on 24.07.2024, the concerned Tahsildar has issued notice to the writ petitioner in W.P.No.19833 of 2024 for surveying the land on 24.07.2024. Even before the Order being passed and released by this Court, citing the Writ Petition and issuing notice itself indicate that there is some collusion between the authorities and the pendente lite purchaser. Hence, the Order passed by this Court in W.P.No.19833 of 2024 dated 24.07.2024 is recalled and the above Writ Petition is dismissed with liberty to the writ petitioner to work out his remedy by filing appropriate civil suit.



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N.SATHISH KUMAR, J.

vrc

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30.07.2024