



WEB COPY



WP.No.22219 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.22219 of 2024

1.J.Jeeva
2.J.Samson
3.Soundari

.. Petitioners

Versus

1.The District Revenue Officer
Thiruvallur

2.The Revenue Divisional Officer
Thiruvallur

3.The Special Tahsildar
Town Survey Land Tax Scheme
Avadi

4.Punga & Company
Represented by K.A.Rajbharath

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 2 and 3 from surveying the petitioner's property situated at S.No.685/4, Poompuzhil Nagar, Church Road, Avadi, Thiruvallur measuring 13700 sq.ft., pending the appeal before the first respondent dated 09.07.2024.

For Petitioner : Mr.Dhalapathy Vignesh Kumar

For Respondents : Mr.P.Sathish for R1 to R3
Additional Government Pleader
Mr.R.Prabhakar for R4



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ORDER

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2. This Writ Petition is filed forbearing the respondents 2 and 3 from surveying the petitioner's property situated at S.No.685/4, Poompuzhil Nagar, Church Road, Avadi, Thiruvallur measuring 13700 sq.ft., pending the appeal before the first respondent dated 09.07.2024.

3. Heard both sides and perused the materials available on record.

4. It is the case of the writ petitioner that as against the cancellation of the patta as against the petitioner, there is an appeal pending before the first respondent, however, now the third respondent on the instructions of the second respondent is trying to survey the property, that too, when the appeal is pending. Hence, this writ petition.

5. The learned Additional Government Pleader, on instructions, submitted that as against the order of the second respondent, review petitioner is filed before the first respondent and enquiry is scheduled to be held on



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27.08.2024 and notices is also sent to the parties.

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6. The learned counsel for the fourth respondent submitted that the fourth respondent has already filed a suit in O.S.No.199 of 2024 on the file of District Munsif Court, Ambattur for permanent injunction as against the writ petitioner.

7. Such view of the matter, the third respondent shall not conduct any survey now and the parties, if at all wants to survey the property shall get an order from the Civil Court in the pending suit, thereafter, the survey shall be undertaken.

8. Accordingly, this writ petition stands disposed of. No costs.

02.08.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To,

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Thiruvallur

2.The Revenue Divisional Officer
Thiruvallur

3.The Special Tahsildar
Town Survey Land Tax Scheme
Avadi

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