



WEB COPY



W.P.No.34351 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.34351 of 2024

T.R.Muniraju

... Petitioner

Vs.

1.The District Collector
Krishnagiri District,
Krishnagiri

2.The Revenue Divisional Officer
Shoolagiri,
Krishnagiri District

3.The Tahsildar
Shoolagiri Taluk,
Krishnagiri District

4.S.Rakesh Reddy

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the respondents 1 to 3 to not conduct survey in respect of the properties at S. No 1/4 an extent of Ac. 0.47 cents, S. No 2/3 an extent of Ac. 5.52 cents S. No 3/2 an extent of Ac. 0.89 cents, S. No 4/1 an extent of Ac. 6.79 cents, S. No 5 an extent of Ac. 6.79 cents, S. No 6/1 an extent of Ac. 0.59 cents, S. No 27/2 an extent of Ac. 1.83 cents, S. No. 7 an extent of Ac. 6.24 cents, S. No 10/2 an extent of Ac. 2.56 cents, S. No 8/4 an extent of Ac. 0.17cents, situated at



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Seluvandoddi vilalge, Shoolagiri taluk, Krishnagiri district till the disposal of the suit in O.S. No 251 of 2024 pending on the file of the Learned Additional District Judge as Hosur by considering petitioner representation / legal notice dated 04.10.2024.

For Petitioner : M/s.R.Saravana Kumar

For Respondents : M/s.A.Selvendran, Spl.GP.
for R.1 to R.3.

ORDER

The Writ Petitioner seeks a Mandamus prohibiting the respondents from conducting a survey in respect of the properties comprised in S.No 1/4 an extent of Ac. 0.47 cents, S. No 2/3 an extent of Ac. 5.52 cents S. No 3/2 an extent of Ac. 0.89 cents, S. No 4/1 an extent of Ac. 6.79 cents, S. No 5 an extent of Ac. 6.79 cents, S. No 6/1 an extent of Ac. 0.59 cents, S. No 27/2 an extent of Ac. 1.83 cents, S. No. 7 an extent of Ac. 6.24 cents, S. No 10/2 an extent of Ac. 2.56 cents, S. No 8/4 an extent of Ac. 0.17cents, situate at Seluvandoddi Vilalge, Shoolagiri Taluk, Krishnagiri District.

2. The contention of the petitioner is that a suit O.S.No.351 of 2024 is pending on the file of the Additional District Judge, Hosur which is the suit for partition, permanent injunction and for a declaration declaring several sale deeds and gift deeds as null and void.



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3. This Court is proceeding to pass orders at the admission stage without issuing notice to the 4th respondent since the 4th respondent is the 7th defendant in the above-said suit and till such time as his right to the property is not finally decided, the 4th respondent cannot seek a survey of the lands. More particularly, when one of the leave sought for in the suit is one for partition.

4. In the light of the above, the Writ Petition is allowed. A Mandamus is issued to respondents 1 to 3 not to proceed to conduct any survey or alter the revenue records in respect of the subject property till the disposal of the suit O.S.No.251 of 2024, on the file of the Additional District Judge, Hosur. No costs.

21.11.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

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Krishnagiri District

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P.T. ASHA. J.,



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