



WEB COPY



WP.No.35725 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.35725 of 2023

Lakshmanan

.. Petitioner

Versus

1.The Tahsildar
Hasthampatty
Salem – 7

2.The Surveyor
Salem (East) Salem

3.Devarajan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 13.11.2023 and the legal notice dated 29.11.2023.

For Petitioner : Mr.R.Nalliyappan
For Respondent : Mr.U.Baranidaran for R1 & R2
Additional Government Pleader
Mr.T.C.Gopalakrishnan for R3

ORDER

This writ petition is filed for a direction to the respondents to survey the land of the petitioner.



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2. The learned counsel for the third respondent objected to the prayer of the writ petition by stating that a civil suit is already pending in this regard.

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

4. On perusal of the typed-set filed by the petitioner, it would indicate that the petitioner has already filed a suit in O.S.No.576 of 2023 on the file of District Munsif, Salem for permanent injunction as against the third respondent herein. The third respondent has also filed an application to survey the land of the petitioner, which has been objected by the petitioner. The dispute is with regard to the boundaries.

5. Such view of the matter, this Court is of the view that let the parties agitate their respective rights in the pending civil suit.

6. Accordingly, this writ petition stands dismissed. No costs.

02.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

<https://www.mhc.tn.gov.in/judis>



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To,
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N. SATHISH KUMAR, J.

dhk

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