



W.P(MD)No.5093 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5093 of 2024

and

W.M.P.(MD)Nos.4876 & 4887 of 2024

Ranjithkumar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Madurai District.

3.Rajapandian

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order of the 2nd Respondent in Muu.Mu.No. 5241 / 2023 dated 28.12.2023 and quash the same and consequently directing the respondents not to conduct survey in the petitioner property comprised in Survey number 285/1A patta No. 526 situated at Valanthur village, Usilampatti taluk, Madurai District which is the subject matter of the Suit in OS No. 159/2020 before the District Judge, Madurai District.



WEB COPY



W.P(MD)No.5093 of 2024

For Petitioner : Mr.S.P.Naveenkumar

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader for R1 & R2

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for R1 & R2.

2. The petitioner is aggrieved by conducting of survey by the authority. It is seen that on 22.02.2024, survey was conducted. It is also seen that survey notice was given last year and the petitioner's objection were overruled on 28.12.2023. Only after giving breathing time, survey was conducted.

3. I went through the contents of the impugned order. The Tahsildar has really understood the purport of the order passed by this Court. No case for interference has been made out. It is however made clear that the impugned survey exercise will not have any bearing on the rights of the petitioner in the pending suit in O.S.No.159 of 2020 on the file of the 1st Additional District Judge, Madurai. It is seen that the petitioner herein is figuring as 4th plaintiff in the said suit. The petitioner can very well establish his claim before the civil Court.



W.P(MD)No.5093 of 2024

WEB COPY

3. The impugned order is sustained. With this observation and liberty to the petitioner, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

05.03.2024

Index : Yes / No
Internet : Yes/ No
rmi

To

- 1.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 2.The Tahsildar,
Usilampatti Taluk,
Madurai District.



WEB COPY



W.P(MD)No.5093 of 2024

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.5093 of 2024

05.03.2024