



W.M.P.(MD)No.5511 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.M.P.(MD)No.5511 of 2024

in

Rev.Apl.W.(MD)No.SR17010 of 2024

in

W.P.(MD)No.30898 of 2023

Rajaram

... Petitioner

Vs

1.Kani

2.The District Collector,
Office of the District Collector,
Dindigul District.

3.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

4.The Surveyor,
Vadamadurai,
Dindigul District.

... Respondents

Prayer in W.M.P.(MD)No.5511 of 2024 : Miscellaneous Petition is filed under Article 226 of the Constitution of India, to grant leave to file review application against the order passed in W.P.(MD)No.30898 of 2023 dated 22.12.2023.



W.M.P.(MD)No.5511 of 2024

Prayer in Review Application (MD)No.SR17010 of 2024: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of Civil Procedure Code, to review the order passed in W.P.(MD)No.30898 of 2023 dated 22.12.2023 by allowing the review application.

For Petitioner : Mr.B.Azhagesh

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R2 to R4.

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the official respondents.

2.The case of the petitioner is that the first respondent herein had suppressed material facts and filed W.P.(MD)No.30898 of 2023 and obtained an order behind the petitioner's back.

3.The petitioner need not have any cause for worry. The directions given by this Court sufficiently safeguard the petitioner's rights. Survey shall not be conducted without issuing prior notice to the petitioner. The petitioner is at liberty to offer his objections. The



W.M.P.(MD)No.5511 of 2024

Tashildar, Vendasandur Taluk has to pass a speaking order on the petitioner's objections. The petitioner will have to be served with a copy of the order also. If the petitioner's objections are sustained, then it is for the first respondent to move this Court. If the petitioner's objections are over-ruled, the petitioner can either come before this Court or go before the jurisdictional Civil Court. Survey cannot be done immediately. Six weeks window period is there. These directions can take care of the rights of the petitioner.

4.This miscellaneous petition is disposed of accordingly.
Consequently, the review application is also disposed of.

11.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Office of the District Collector,
Dindigul District.
- 2.The Tahsildar,
Vendasandur Taluk,
Dindigul District.



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W.M.P.(MD)No.5511 of 2024

G.R.SWAMINATHAN,J.

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3.The Surveyor,
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W.M.P.(MD)No.5511 of 2024
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