



REV APLW(MD).No.111 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

REV.APLW(MD)No.111 of 2024

in

W.P(MD)No.5607 of 2024

and

W.M.P(MD)Nos.11425, 11427 & 11429 of 2024

S.Maharajan

... Petitioner /
Third Party

Vs

1.A.Raja

... 1st Respondent/
Petitioner

2.The Tahsildar,
Aathur Taluk,
Dindigul District.

3.The Firka Surveyor,
Aathur Taluk,
Dindigul District.

4.S.Angurathinam

... Respondents 2 to 4/
Respondents 1 to 3



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PRAYER: Review Application filed under Order XLVII Rule 1 and 2 read with Section 141 of Civil Procedure Code to set aside the order dated 08.03.2024 passed in W.P(MD)No.5607 of 2024 and allow the Review Application.

For Petitioner : Mr.T.Sakthi Kumaran

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.2 & R.3

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 2 and 3.

2.The first respondent herein filed W.P(MD)No.5607 of 2024 for conducting survey. The said writ petition was disposed of by issuing usual directions. Seeking review of the said order, the present Review Application has been filed.

3.I wanted to know if the writ petitioner is having patta in his favour. The learned Special Government Pleader answered affirmative and also



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produced copy of the patta. It is seen that the parties are already filed O.S.No.3 of 2024 on the file of Principal District Muncif Court, Athur. It is not in dispute that the petitioner has already given objection before the second respondent. The second respondent shall pass a speaking order on the petitioner's objection. If the petitioner's objections are over-ruled, the petitioner will still be given six weeks breathing time. The petitioner can move the jurisdictional civil Court during the said period and obtain relief. If any such Interlocutory Application is filed by the petitioner, it shall be disposed of by the learned trial Magistrate within a period of four weeks thereafter. The survey authorities will abide by the outcome of the order to be passed by the jurisdictional civil Court. I am more than satisfied that the directions given by this Court protect the rights of the petitioner herein.

4.This Review Application is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.06.2024

Index :Yes/No
Internet:Yes/No
NCC :Yes/No
MGA



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G.R.SWAMINATHAN, J.

MGA

To

1.The Tahsildar,
Aathur Taluk,
Dindigul District.

2.The Firka Surveyor,
Aathur Taluk,
Dindigul District.

Copy to

The Principal District Muncif Court, Athur.

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