



W.P(MD)No.12170 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.06.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.12170 of 2024
and
W.M.P.(MD)No.10795 of 2024

Subramaniyan

... Petitioner

Vs.

- 1.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
- 2.Taluk Sub Inspector of Survey,
Sivagangai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
- 4.Ramesh

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the Respondents 1 to 3 from disturbing the possession and enjoyment of



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Ilppakudi villagers over the drinking water tank situated in S.No.286/23 situated in Ilappakudi village of Kanjirangal group, Sivagangai Taluk and district in the guise of surveying and demarcating the said land without conducting any enquiry and passing orders in the light of order dated 26.02.2024 passed in WP(MD) No.29155 of 2023 and the Judgment and Decree dated 20.09.2016 passed in OS.No.10 of 2010 on the file of District Munsif Court, Sivagangai.

For Petitioner : Mr.K.Chengiz Khan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.
Mr.Albert James,
Govt. Advocate (Crl. Side) for R3.

ORDER

The impugned notice merely proposes to conduct survey in respect of S.No.286/23. The case of the petitioner is that the very issuance of patta is bad in law. If that be so, it is for the petitioner to question the same in the manner known to law. The impugned notice does not in any way affect the writ petitioner's rights.



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2. Granting liberty as aforesaid to the writ petitioner, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S.J.) & (B.P.J.)
13.06.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

1. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
2. Taluk Sub Inspector of Survey,
Sivagangai Taluk,
Sivagangai District.
3. The Inspector of Police,
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