



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
Civil Appellate Jurisdiction

Wednesday, the Twenty Sixth day of June Two Thousand and Twenty Four

PRESENT  
The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD)No.11443 of 2024  
in  
WP(MD)No.7152 of 2024

V.Seenivasan

... Petitioner/3<sup>rd</sup> Party

Vs

1.The Tahsildar,  
Office of the Tahsildar,  
Bodinayakanur Taluk,  
Theni District.

2.The Head Surveyor,  
Bodinayakanur Taluk,  
Theni District.

... Respondents 1 & 2/  
Respondents

3.Ajeeskhan

... 3<sup>rd</sup> Respondent/Petitioner

Prayer in WMP(MD)No.11443 of 2024 :- Writ Miscellaneous Petition file under Article 226 of the Constitution of India, to grant and special leave petition to the petitioner/3rd party to file the above Recall petition against the order passed by Hon'ble High Court in WP(MD)No.7152 of 2024 dated on 22.03.2024.

Prayer in WP(MD)No.7152 of 2024 :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 and 2 to survey the land and fix the boundary stones in connection with Survey No.617/1D to the extent of 77 cents situated at Silamalai Village, Bodinayakkanur Taluk, Theni District.

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon



hearing the arguments of Mr.A.Ganesan, Advocate for the Petitioner and of Mr.N.GA.Natraj, Government Advocate for the Respondents 1 & 2 and Mr.K.Yasar Arapath, Advocate for the 3<sup>rd</sup> Respondent, this Court made the following order:-

Heard both sides.

2.The third respondent herein filed W.P(MD)No.7152 of 2024 for conducting survey. The writ petition was disposed of by issuing the usual directions. The petitioner's vendor has now come before this Court for seeking recall of the order. The directions given by me will protect the rights of the recall petitioner.

3.Be that as it may, the Tahsildar, Bodinayakanur is directed to issue notice to Thiru.V.Srinivasan also and invite his objections. A speaking order shall be passed. Breathing time shall be given thereafter. If any adverse order is passed, if Thiru.V.Srinivasan's objections are over-ruled, Thiru.V.Srinivasan can always file an Interlocutory Application before the jurisdictional Court in the pending suit. If the said Interlocutory Application is filed, it shall be disposed of within a period of four weeks thereafter.

4.This writ miscellaneous petition is disposed of accordingly.

Sd/-

Assistant Registrar()

// True Copy //

28/06/2024

Sub Assistant Registrar  
(CS- I/ II / III / IV)



TO

1.The Tahsildar,  
Office of the Tahsildar,  
Bodinayakanur Taluk,  
Theni District.

2.The Head Surveyor,  
Bodinayakanur Taluk,  
Theni District.

+ 1 CC to Government Pleader, SR.No.30281

ORDER DATED : 26/06/2024

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ORDER

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WMP(MD)No.11443 of 2024

in

WP(MD)No.7152 of 2024

Giving direction and etc.  
as stated within.

MGJ(28.06.2024) 3P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023