



W.P(MD)No.12670 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12670 of 2024

and

W.M.P.(MD)Nos.11276 and 11279 of 2024

K.Krishnan

... Petitioner

Vs.

1.The Tahsildar,,
Avudayarkovil Taluk,
Pudukkottai District.

2.The Firka Surveyor,
Avudayarkovil Taluk,
Pudukkottai District.

3.Jayaraman

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned notice in A.Ko.V.1232/ 2024 dated .05.2024 of the 2nd respondent and quash the same as illegal.

For Petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.K.Balasubramani,



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Spl. Government Pleader for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the respondents 1 and 2. Issuance of notice to the third respondent is dispensed with.

2.The petitioner challenges the impugned notice for conducting survey. It is the third respondent who had obtained an order for conducting survey. It is seen that the petitioner has already filed O.S.No.102 of 2023 on the file of District Munsif Court, Aranthangi and it was transferred to the District Munsif Court, Avudayarkovil and taken on file in O.S.No.91 of 2024. The petitioner has given his objection on 23.05.2024. It appears that the Tahsildar has not passed any order on the petitioner's objection. The first respondent shall pass an order on the objection of the petitioner within a period of seven days from the date of receipt of a copy of this order and serve a copy on the petitioner. If the order is adverse to the petitioner, the petitioner is given liberty to file an interlocutory application in O.S.No.91 of 2024 on the District Munsif Court, Avudayarkovil. If the petitioner is unable to get any restraint order within a period of six weeks thereafter, the survey can very well go on.



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3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

14.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 18.06.2024.

To:-

- 1.The Tahsildar,,
Avudayarkovil Taluk,
Pudukkottai District.
- 2.The Firka Surveyor,
Avudayarkovil Taluk,
Pudukkottai District.



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G.R.SWAMINATHAN, J.

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