



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

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Monday, the Eighth day of July Two Thousand and Twenty Four

PRESENT

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

W.M.P(MD). No.12256 of 2024

in

W.P.(MD).No.7987 of 2024

Saravana Adityan

... Petitioner/ 4th Respondent

Vs.

1. J.Jeyendra Aathithan

2. The District Collector,
Thoothukudi,
Thoothukudi District.

3. The Tahsildar,
Thiruchendur Taluk,
Thiruchendur,
Thoothukudi District.

4. The Sub Inspector of Survey,
Thiruchendur Taluk,
Thoothukudi District.

... Respondents/ Respondents 1 to 3

Prayer in W.M.P(MD). No.12256 of 2024 :-

This Petition is filed under Article 226 of the Constitution of India to recall the



Prayer in W.P.(MD).No.7987 of 2024 :-

This 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 for issuance of a Writ of Mandamus, directing the 2nd respondent to survey, demarcate the petitioner's land measuring 32 cents in Survey No. 569/3B of Parmankurichi village, Thiruchendur taluk, Thoothukudi district and to issue separate patta to the petitioner based on his application dated 28.08.2023 within a time frame as fixed by this Court.

ORDER:- This 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.Veerasamy, Advocate for the Petitioner and of Mr. K.Govindarajan for Mr. M.Saravanan, Advocate for the Respondent No.1 and Mr.G.Vairam Santhosh, Additional Government Pleader for the Respondent Nos. 2 to 4, this Court made the following order:

The learned counsel appearing for the first respondent in this Writ Miscellaneous Petition states that he will dismantle the fencing put up by him. The survey stones will also be removed.

2.Thiru.Balasundaram, Tahsildar, Tiruchendur Taluk informs the Court that

<https://www.mhc.tn.gov.in/judis>

he will issued proceedings rescinding in the earlier survey proceedings. I called



upon the Tahsildar, Tiruchendur Taluk to produce the consent letter given by Thiru.Saravana Adityan. Ultimately, Thiru.Saravana Adityan is one of the joint pattadhars. No such consent letter is forth coming. On the ground that the order passed by me has not been complied with, I directed the Tahsildar to undo what has happened so far.

3.The learned counsel appearing for the writ petitioner has no objection for setting aside the order dated 28.03.2024 in W.P(MD)No.7987 of 2024. This recall petition is allowed. W.P(MD)No.7987 of 2024 is restored to file.

4.Call this case on 25.07.2024 at 2.15 p.m.

Sd/-

Assistant Registrar()

// True Copy //

23/07/2024

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

TO

1. The District Collector,
Thoothukudi,
Thoothukudi District.



2. The Tahsildar,
Thiruchendur Taluk,
Thiruchendur,
Thoothukudi District.

3. The Sub Inspector of Survey,
Thiruchendur Taluk,
Thoothukudi District.

4. The Special Government Pleader,
Madurai Bench of Madras High Court,
Madurai

Copy to:

The Section Officer,
Writ Posting Section,
Madurai Bench of Madras High Court,
Madurai.



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ORDER DATED : 08/07/2024

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ORDER

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W.M.P(MD). No.12256 of 2024
in
W.P.(MD).No.7987 of 2024

Giving direction and etc.
as stated within.

MGJ(23.07.2024) 5P 6C

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