



WMP(MD). No.17030 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Fifth day of September Two Thousand and Twenty Four

PRESENT

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

WMP(MD). No.17030 of 2024

in

W.P.(MD)No.10591 of 2024

Paramaiya

... Petitioner/3rd Party

Vs

1 M.Nagarajan

...1st Respondent/Writ Petitioner

2 The Tahsildar
Kodaikanal,
Dindigul District.

... 2nd Respondent/Respondent

Prayer :-

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India
To GRANT LEAVE to prefer a recall petition against the order passed in WP(MD).
No. 10591 of 2024 dated 29.04.2024 on the file of this Honble High Court and thus
render justice.

Prayer in W.P.(MD)No.10591 of 2024:-

Writ Petition is filed under Article 226 of the Constitution of India,

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



WMP(MD). No.17030 of 2024

praying this Court to issue a Writ of Mandamus directing the respondent to survey and demarcate the boundaries of property situated in Survey No. 2278/3, Vilpatti Village, Kodaikanal Taluk, Dindigul District corresponding to patta No. 12438 as per the provisions of the Tamil Nadu Survey and Boundaries Act, 1923 within the time that maybe stipulated by this Honble Court and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

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 M/s. M. Kaliraj, Advocate for the Petitioner and of Mr.M.Mahaboob Athiff, Advocate for the 1st Respondent and Mr.R.Ragavendran, Government Advocate for the 2nd Respondent, this Court made the following order:

“Heard both sides.

2. The first respondent herein filed W.P.(MD)No.10591 of 2024 for conducting survey. It was disposed of by issuing the usual set of directions on 29.04.2024. To recall the same, W.M.P.(MD)No.17030 of 2024 has been filed.

3. The learned counsel for the recall petitioner states that the petitioner herein is in possession of the suit property and not the writ petitioner. I do not want to go into those issues. Admittedly, the recall petitioner is not having patta in his favour. On the other hand, the writ petitioner is having patta in his favour. Therefore, the



WMP(MD). No.17030 of 2024

question of recalling the order earlier passed does not arise at all. W.M.P.(MD)

WEB COPY

No.17030 of 2024 is dismissed.”

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/09/2024

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

TO

1. M.Nagarajan
S/o.Mani 10-5-19 A Police Station Street
Ottaipatti Uthamapalayam Taluk Theni
District.

2. The Tahsildar
Kodaikanal Dindigul District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.MAHABOOB ATHIFF,Advocate(SR-50034[F] dated 09/09/2024)

+1 CC to M/s.SPL.GP (SR- 49719[F] dated 06/09/2024)



WEB COPY



WMP(MD). No.17030 of 2024

ORDER DATED : 05/09/2024

=====

ORDER

=====

WMP(MD). No.17030 of 2024

SI -(26.09.2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.