



Rev.Apl.W(MD)No.163 of 2024
in
W.P.(MD)No.12076 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev.Apl.W(MD)No.163 of 2024
in
W.P.(MD)No.12076 of 2024
and
W.M.P.(MD)Nos.17548 & 17549 of 2024

V.Viganeswaran ... Review Applicant / 5th Respondent

Vs.

1.Rajasekar ... 1st Respondent / writ petitioner

2.The Tahsildar,
Srivilliputhur Taluk,
Srivilliputhur,
Virudhunagar District.

3.The Land Surveyor,
Srivilliputhur Taluk,
Srivilliputhur,
Virudhunagar District.

4.Kasipandian

5.Dhandapani

6.Mahalaskhmi ... 2 to 6 Respondents / Respondents



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PRAYER: Petition filed under Order 47 Rule 1 & 2 r/w Section 114 of C.P.C., praying to review the order passed in W.P.(MD)No.12076 of 2024 dated 10.06.2024.

For Petitioners : Mr.K.Mahendran

For Respondent : Mrs.Lakshmi Gopinathan
for M/s.Polax Legal Solution for R1

: Mr.K.Balasubramani
Special Government Pleader for R2 & R3

ORDER

Heard the learned counsel appearing for the review applicant and the learned counsel appearing for the writ petitioner / R1 and the learned Special Government Pleader appearing for R2.

2. The first respondent herein filed W.P.(MD)No.12076 of 2024 for conducting survey of the petition mentioned land. The writ petition was disposed of by me on 10.06.2024 by issuing the usual set of directions. Thiru.V.Vigneshwaran who was shown as 5th respondent in the writ petition has filed this review application.



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3. The learned counsel appearing for the review applicant reiterated all the contentions set out in the memorandum of the review application.

4. It is beyond dispute that the writ petitioner is having patta in his favour. However, the basis of the writ petitioner's right and title is questioned by the review applicant. After issuing notice to the petitioner, survey was conducted on 27.08.2024. The learned counsel for the petitioner contends that the direction given by this Court has not been complied with. It is stated that the petitioner gave objection on 16.08.2024. But without passing any formal order, survey was conducted. There is nothing on record to show that objection was given to the survey authority. Be that as it may, certain equitable orders will have to be passed now.

5. The learned counsel appearing for the review applicant produced copies of the photographs indicating installation of the pillar stones. This may not be correct. The writ petitioner is directed to take



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down the pillar stones. The writ petitioner is permitted to reinstall the survey stones at the very same site. Taking down of the pillar stones and re-installing the survey stones at the very same site will be duly videographed. The local surveyor is directed to carry out this process. This shall be done on 27.09.2024 at 09.00 am., The review applicant will not be given any independent notice. It is for the review applicant and the writ petitioner to work out their civil rights before the jurisdictional civil Court.

6. The review application is disposed of accordingly. No costs.
Consequently, connected miscellaneous petitions are closed.

23.09.2024

Index : Yes/No
Internet : Yes/No
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NOTE:Issue Order Copy on 24.09.2024

To

1.The Tahsildar,
Srivilliputhur Taluk,
Srivilliputhur,
Virudhunagar District.

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2.The Land Surveyor,
Srivilliputhur Taluk,
Srivilliputhur,
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G.R.SWAMINATHAN, J.

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