



W.P(MD)No.20959 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.20959 of 2021

K.Rajeswari

: Petitioner

Vs.

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Thirupathur Town Police Station,
Sivagangai District.
- 3.The Tahsildar,
Thirupathur Taluk,
Revenue Office of Thirupathur Taluk,
Thirupathur, Sivagangai District.
- 4.The Surveyor,
Pudhupatti Revenue Village,
Revenue Office of the Thirupathur Taluk,
Sivagangai District.

5.Arun Jothi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorarified Mandamus, to call for the records of the impugned order passed by the third respondent in



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O.Mu.FL/86/2021, dated 22.04.2021 and quash the same and consequently direct the third respondent to survey and demarcate the petitioner's land that of an extent of 8 $\frac{3}{4}$ cents in survey No.99/2A2A and 99/8 Ward No.1 of Pudhupatti Village, Thirupathur Town, Sivagangai District based on the petitioner's application, dated 22.02.2021 with the protection of the second respondent within a time frame that may be fixed by this Court.

For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.M.Prakash,
Additional Government Pleader, for R1 to R4.

: Mr.P.Aju Tagore, for R5.

ORDER

The Writ Petition has been filed seeking orders to issue a Writ of certiorarified Mandamus, to call for the records of the impugned order passed by the third respondent in O.Mu.FL/86/2021, dated 22.04.2021 and quash the same and consequently direct the third respondent to survey and demarcate the petitioner's land that of an extent of 8 $\frac{3}{4}$ cents in survey No. 99/2A2A and 99/8 Ward No.1 of Pudhupatti Village, Thirupathur Town, Sivagangai District based on the petitioner's application, dated 22.02.2021 with the protection of the second respondent within a time frame that may be fixed by this Court.



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2. When the matter is taken up for hearing today (i.e., 14.06.2024), the learned counsel for the petitioner as well as the learned counsel for the private respondent would submit that the petitioner has filed a civil suit in O.S.No.21 of 2023 claiming the relief of declaration and permanent injunction with respect to the property in dispute.

3. Since the civil suit with regard to the property in dispute is pending, directing the respondents to survey the land at this point of time is not necessary. The petitioners are directed to sort out their remedy subject to the result of the suit in O.S.No.21 of 2023 pending on the file of the District Court, Sivagangai.

4. With the above observation, this Writ Petition is disposed of. No costs.

14.06.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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To

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K.MURALI SHANKAR, J

DAS

Order made in
W.P(MD)No.20959 of 2021

Dated : 14.06.2024