



W.P.(MD) No.23731 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23731 of 2024

Sasikumar

.. Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
O/o the District Revenue Officer,
Dindigul District,
Dindigul.

3.The Tahsildar,
Kujiliyamparai Taluk,
Dindigul District.

4.Thirupathi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the 3rd respondent from survey the land comprising in Survey S.No.1206 of Kombai Village, Vedasandur Taluk, Dindigul District till the disposal of the suit in O.S.No. 22/2024 on the file of the District Munsif Court, Vedasandur, Dindigul District.



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For Petitioner : Mr.D.Anbarasu
For R1 – R3 : Mr.B.Saravanan
Additional Government Pleader

ORDER

By this writ petition, the petitioner seeks to forbear the 3rd respondent from surveying the land in S.No.1206 of Kombai Village, Vedasandur Taluk, Dindigul District till the disposal of the suit in O.S.No. 22/2024 on the file of the District Munsif Court, Vedasandur, Dindigul District.

2. When the matter had come up, the learned Additional Government Pleader would submit that survey has been conducted only on the basis of the earlier order of this Court, dated 10.07.2024 in W.P(MD)No.15258 of 2024.

3. However, as pointed out by the learned counsel for the petitioner, this Court had made it clear that in case if there is any objection received which has substance, then the authority is bound to



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direct the parties to the Civil Court. The order also states that if objections have been received, then an enquiry should be held and if the objections without basis, it would be overruled and thereafter, survey can be conducted.

4. Therefore, in the light of the above said order, this Court dispose of this writ petition with a direction to the respondents 1 to 3 to conduct survey afresh after affording an opportunity to the rival parties to make their objections, consider the same and pass a speaking order. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of copy of this order. Until such objections are heard and considered, survey shall not be conducted.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

04.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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