



W.P(MD)No.26631 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.26631 of 2024
and
WMP(MD)Nos.22599 and 22600 of 2024**

1. V.Balamuthu
2. K.Vallan
3. K.Maruthamuthu ... Petitioners

VS.

1. The District Collector,
Trichy District, Trichy.

2. The Tahsildar,
Srirangam Taluk,
Srirangam, Trichy District.

3. The Taluk Surveyor,
Manikandam Part,
Srirangam, Trichy District.

4. B.S.Kanagaraj ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the Impugned Notice dated Nil issued by the 3rd respondent and quash the same.



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For Petitioners : Mr.B.Prahalad Ravi
For Respondents : Mr.S.Shaji Bino
Special Government Pleader

WEB COPY

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

The notice under challenge is one informing the petitioner that the official respondents herein intend to survey the petitioner's land in Survey No. 228/25 on 07.11.2024 at 11.00 a.m.

2. In the said notice, a reference has been made to an order passed by an Hon'ble Co-ordinate Bench of this Court in W.P(MD)No.29136 of 2023 dated 11.12.2023. A copy of the order passed in the said writ petition is also produced before this Court, which has been filed by one Mr.B.S.Kanagaraj, who has claimed that there are encroachments made in Survey No.228/25 at Paganur Panchayat, South Paganur Adi Dravidar Colony, Srirangam Taluk, Tiruchirappalli District. In connection with such a complaint, the Division Bench had directed the official respondents to follow the procedure contemplated in the earlier order passed in W.P(MD)No.24679 of 2023 dated 12.10.2023.



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3. Apparently, the present impugned notice has been issued only in compliance of the earlier orders of this Court. We find that for the purpose of compliance, a survey of the subject lands would be mandatory, which procedure is being exercised by the respondents herein. We fail to understand as to how the initiation taken by the official respondents to comply with the orders of this Court can be interfered with. This apart, it is the specific stand of the counsel for the petitioner that the petitioner has not encroached any portion of the land in the subject property. If that be so, it would be in his best interest that he co-operates with the respondents for surveying the land, rather than trying to obstruct the same.

4. Since no legal grounds have been raised to interfere with the impugned notice, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R, J.) (A.D.M.C, J.)
06.11.2024

Index : No
Neutral Citation : No
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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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To

1. The District Collector,
Office of District Collectorate,
Nagercoil, Kanyakumari District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Nagercoil, Kanyakumari District.
3. The Tahsildar,
Thovalai Taluk,
Bhoothapandi Post,
Nagercoil, Kanyakumari District.
4. The Assistant Director,
Town Panchayat,
Nagercoil, Kanyakumari District.

ORDER MADE IN
W.P(MD)No.26631 of 2024
DATED : 06.11.2024