



W.P.(MD)No.28700 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.28700 of 2024
and WMP(MD)No.24337 of 2024

Mayakkal

... Petitioner

/Vs./

1.The Thasildar,
Tirumangalam Taluk,
Madurai District.

2.The Surveyor,
Tirumangalam Taluk,
Madurai District.

3.Jeyapandi
4.Seeniayammal
5.Mokkamayan
6.Murugeswari
7.Karthiga
8.Jeevitha
9.Minor Kasi
10.Sivapandi
11.Vasanthakumari
12.Kodipuli
13.Vellaichamy
14.Ukkirapandi
15.P.Murugan
16.Deivakani
17.Gangadevi
18.Thedaselvi
19.Dhanalakshmi



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20.Moovendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents 1, 2 from measuring/demarcating the properties comprised in S.No.180/4, 201/5A, 201/1 to an extent of 1 acres 14 cents, 68 cents, 64 cents respectively situated at A.Kokkulam Village, Tirumangalam Taluk, Madurai District at the instance of the respondents 3 to 20 on the basis of the judgment and decree dated made in O.S.No.140/2022 on the file of the 6th Additional District Court, Madurai which has been stayed vide order dated 11.12.2023 made in CRP.No.3212/2023.

For Petitioner : Mr.R.G.Sankar Ganes

For Respondents : Mr.R.Ragavenran
Government Advocate

ORDER

This Writ Petition is filed for issuance of Writ of Mandamus forbearing the respondents 1, 2 from measuring/demarcating the properties comprised in S.No.180/4, 201/5A, 201/1 to an extent of 1 acres 14 cents, 68 cents, 64 cents respectively situated at A.Kokkulam Village, Tirumangalam Taluk, Madurai District at the instance of the respondents 3 to 20.



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2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. It is seen that the petitioner has filed the above writ petition apprehending that the respondents 1 and 2 may survey his property.

4. The learned Government Advocate submits that even without waiting for notice of survey, the petitioner has rushed to this Court for mandamus, restraining the official respondents from measuring the properties at the instance of the private respondents.

5. Heard both sides and perused the materials available on record.

6. As rightly contended by the learned Government Advocate, the petitioner has rushed to the Court even without waiting for enquiry notice on mere apprehension that survey would be conducted and therefore, this writ petition is premature. However, it is clarified that if the respondents 1 and 2 propose to conduct survey, the same shall be



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done after due notice to all the interested persons in the manner known to law and by following the directions issued by this Court in W.P(MD)No. 12676 of 2024, dated 14.06.2024.

7. With the above observation, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

02.12.2024

Index : Yes / No
NCC : Yes / No
CM

TO:

1.The Thasildar,
Tirumangalam Taluk,
Madurai District.

2.The Surveyor,
Tirumangalam Taluk,
Madurai District.



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N.MALA, J.

CM

Order made in
W.P.(MD)No.28700 of 2024
and WMP(MD)No.24337 of 2024

Dated:

02.12.2024