



WEB COPY

WMP.No.14123 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.M.P.No.14123 of 2025

in

W.P.No.38264 of 2024

Mr.A.Arumugam

... Petitioner

Vs.

1.P.R.Vaithiyanathan

2.The Tahsildar
Madurantakam Taluk Office,
Madurantakam
Chengalpattu District

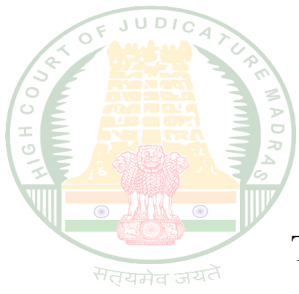
3.The Head Surveyor
Madurantakam Taluk Office,
Madurantakam
Chengalpattu District

... Respondents

Prayer :- Writ Miscellaneous Petition No.14123 of 2025 is filed under Article 226 of the Constitution of India to recall the order dated 18.12.2024 passed in W.P.No.38264 of 2024.

For Petitioner : M/s.G.Rajkumar

For Respondent : M/s.A.Selvendran, Spl.GP
for R.2 & R.3.



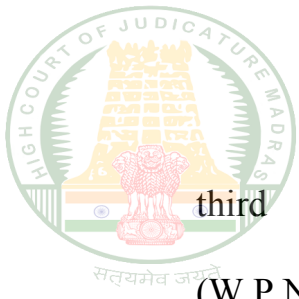
ORDER

The above recall petition is filed seeking to recall the order passed by this Court on 18.12.2024 in WP.No.14123 of 2025.

2. The above Writ petition was filed by the 1st respondent in this recall petition seeking a mandamus to the 2nd respondent to conduct survey of the 1st respondent/petitioner's land and laying boundary stone in S.No.541/5, of an extent of 02 Acres 55 Cents, situated at Zameen Endathur Village, Madurantakam Taluk, Chengalpattu District by considering the 1st respondent's/petitioner's representation/Application dated 21.12.2023 within a reasonable time framed.

3. This Court by an order dated 18.12.2024 had allowed the Writ petition and directed the 2nd respondent herein to conduct the survey of the land and the 1st respondent herein was directed to submit all the relevant documents to show his title of the property and respondents 2 and 3 herein were directed to issue notice to the adjacent land owners, interested parties, hold an enquiry and thereafter proceed to survey the said land.

4. It is thereafter that the above recall petition has been filed by a

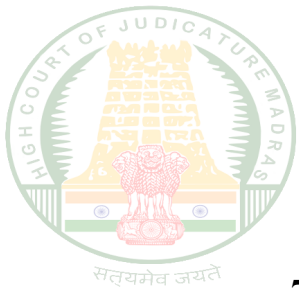


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third party on the ground that in an earlier Writ Petition (W.P.No.20814/2024), the 1st respondent's request for surveying the land has been rejected and this fact has been suppressed by the 1st respondent herein.

5. The learned counsel for the petitioner had drawn the attention of the Court to this earlier Writ Petition No.20814/2024. A perusal of the same would show that the 1st respondent/writ petitioner had filed W.P.No.20814/2024 for a mandamus to survey the lands comprised in Old S.No.541/6 and 541/11 and as per patta punjai S.No.541/5 in Zameen Endathur Village, Mathuranthagam Taluk, Chengalpattu District in the presence of the petitioner and to lay the boundary stones as per the representation of the 1st respondent/petitioner dated 21.12.2023.

6. In the earlier Writ Petition (W.P.No.20814/2014) after hearing the parties and perusing the records, this Court had opined that the 1st respondent/petitioner had to work out the remedy before the Civil Court and ultimately dismissed the Writ Petition. It is in respect of the very same lands that the present Writ Petition (W.P.No.38264 of 2024) which is the subject matter of the Recall Petition has been filed.



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7. In the affidavit filed in support of the present Writ Petition (W.P.No.38261/2024) there has been no mention about the earlier order passed in W.P.No.20814 of 2024 particularly when it relates to the very same property. Therefore, the 1st respondent/petitioner has approached this Court by suppressing the material facts more particularly the rejection of the similar request earlier.

8. In view of the above suppression, the Recall Petition is allowed and the order passed by this Court dated 18.12.2024 in WP.No.38264/2024 is recalled and consequently WP.No.38264/2024 is dismissed. Consequently, W.M.P.No.14127/2025 is also closed.

05.06.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

1.The Tahsildar
Madurantakam Taluk Office,
Madurantakam
Chengalpattu District

2.The Head Surveyor
Madurantakam Taluk Office,
Madurantakam
Chengalpattu District

P.T. ASHA. J.,



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