



Writ Petition No.8715 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.04.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.8715 of 2025

and

W.M.P.No.9764 of 2025

C.Bala Sanmugam
S/o Chinna Swamy

Petitioner

Vs

1. The Superintendent of Police
Office of The Superintendent of Police,
Kallakurichi, Kallakurichi District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional,
Kallakurichi District.

3.The Revenue Tahsildar,
Kallakurichi Taluk and District.

4.S.Maheshwari
W/o.Senthilkumar

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 3rd respondent to implement the order passed by the second respondent made in O.Mu.A3/5108/2024 dated 05.11.2024 and within the time frame fixed by this Court.



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For Petitioner : Mr.D.Babu Varadharajan

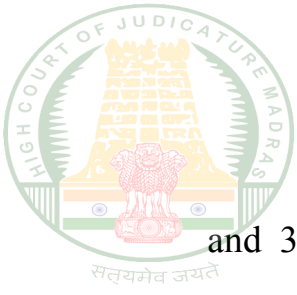
For Respondents : Mr.V.J.Priyadarsana
Government Advocate [Crl.side] [R1]
Mr.P.Sathish
Additional Government Pleader
[R2 & R3]
Mr.C.Deepakumar [R4]

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent dated 05.11.2024 wherein the second respondent had directed the third respondent to submit a report based on the complaint given by the fourth respondent.

2. Heard Mr.D.Babu Varadharajan, learned counsel for petitioner, Mr.V.J.Priyadarsana, learned Government Advocate [Crl.side] appearing for first respondent, Mr.P.Sathish, learned Additional Government Pleader appearing for respondents 2 and 3 and Mr.C.Deepakumar, learned counsel appearing for fourth respondent.

3. When the matter was taken up for hearing today, learned Additional Government Pleader appearing on behalf of respondents 2



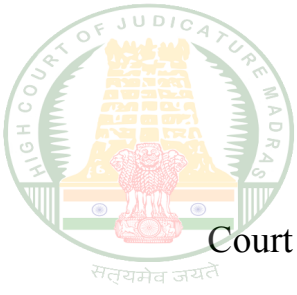
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and 3, based on the written instructions received from the Tahsildar,

WEB.COM Kallakurichi, submitted that proceedings were initiated only based on the earlier order passed by this Court in W.P.No.36403 of 2024 dated 19.12.2024, which was filed by the fourth respondent in this writ petition. Learned Additional Government Pleader further submitted that every time when an attempt was made to survey the property, it was obstructed by the petitioner. Thereafter, the petitioner gave a representation before the second respondent and the third respondent is awaiting for the decision to be taken by the second respondent before proceeding further.

4. Learned counsel for the fourth respondent, by pointing out to the earlier order passed by this Court in W.P.No.36403 of 2024, dated 19.12.2024, submitted that the official respondents will have to comply with the directions issued by this Court and that till date, no survey has been conducted in the subject property.

5. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the third respondent to comply with the earlier direction issued by this



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Court in W.P.No.36403 of 2024, dated 19.12.2024. If there is any obstruction, which may lead to any law and order problem, there shall be a direction to the first respondent to arrange for police protection. This direction is given since if the present writ petition is entertained and further directions are given, it will run contra to the earlier directions issued by this Court in W.P.No.36403 of 2024. If the petitioner has any grievance with respect to the earlier order passed by this Court, he has to work out his remedy in the manner known to law and he cannot file a fresh writ petition questioning the notice issued by the third respondent.

This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

07.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
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To

1. The Superintendent of Police
Office of The Superintendent of Police, Kallakurichi,
Kallakurichi District.

2. The Revenue Divisional Officer,
Office Of Revenue Divisional, Kallakurichi District.



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3.The Revenue Tahsildar,
Kallakurichi Taluk and District.



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N.ANAND VENKATESH, J

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