

W.M.P.No.12471 of 2025 in
Writ Petition No.2927 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.M.P.No.12471 of 2025

in

Writ Petition No.2927 of 2025

Manimozhi
W/o.Chinnasamy

Petitioner

Vs

1. A.Reegan
S/o.Arokkiaraj

2.The Tahsildar
Kolli Hills Taluk,
Namakkal District.

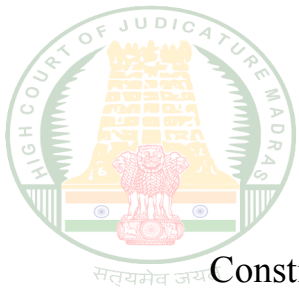
3.The Head Surveyor,
Kolli Hills Taluk,
Namakkal District.

4.Taluk Surveyor
Kolli Hills Taluk,
Namakkal District.

5.The Sub Inspector of Police
Valavanthinadu Police Station,
Namakkal District.

Respondents

Writ Miscellaneous Petition filed under Article 226 of the



W.M.P.No.12471 of 2025 in
Writ Petition No.2927 of 2025

Constitution of India seeking to recall the order dated 05.02.2025 passed
in W.P.No.2927 of 2025.

For Petitioner : Mr.T.L.Thirumalaisamy
For Respondents : Mr.S.Varanesh [R1]
Mr.P.Sathish,
Additional Government Pleader
[R2 to R4]
Mr.V.J.Priyadarsana
Government Advocate [crl.side] [R5]

ORDER

This petition has been filed by the fifth respondent in the writ petition to recall the order passed by this Court in W.P.No.2927 of 2025 dated 05.02.2025 on the ground that the writ petitioner concealed pendency of three civil suits in O.S.No.34 of 2022 and O.S.No.119 of 2023 on the file District Munsif Court, Sendamangalam and O.S.No.139 of 2024 on the file of Principal Subordinate Court, Namakkal.

2. Heard Mr.T.L.Thirumalaisamy, learned counsel for petitioner, Mr.S.Varanesh, learned counsel for first respondent, Mr.P.Sathish, learned Additional Government Pleader appearing for respondents 2 to 4 and Mr.V.J.Priyadarsana, learned Government Advocate [Crl.side] appearing for fifth respondent.

3. Learned Additional Government Pleader appearing on behalf



W.M.P.No.12471 of 2025 in
Writ Petition No.2927 of 2025

WEB COPY

of respondents 2 to 4 herein and learned Government Advocate appearing on behalf of the fifth respondent herein submitted that survey has already been conducted on 18.03.2025 and boundaries have been marked.

4. Learned counsel appearing on behalf of the petitioner herein/fifth respondent in the writ petition submitted that taking advantage of the order, the writ petitioner is now attempting to demolish the compound wall belonging to the fifth respondent.

5. In the considered view of this Court, there are civil suits pending before the competent civil Court. The narrow scope of the writ petition was to conduct survey in the subject property and to mark the boundaries. This process has been completed. On completion of this process, the official respondents including the police will go out of the scene. It is for the writ petitioner and the private respondent to agitate the dispute before the competent civil Court. The order passed in the writ petition or the survey that was conducted by the official respondents will

N.ANAND VENKATESH, J

gm

not be put against the fifth respondent and both the parties can put forth



W.M.P.No.12471 of 2025 in
Writ Petition No.2927 of 2025

WEB COPY

all their claims before the civil Court, which will be considered on its own merits and in accordance with law. This clarification will sufficiently take care of the interest of the writ petitioner as well as the fifth respondent.

This writ miscellaneous petition is disposed of in the above terms.

28.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To
1.The Tahsildar
Kolli Hills Taluk, Namakkal District.

2.The Head Surveyor,
Kolli Hills Taluk, Namakkal District.

3.Taluk Surveyor
Kolli Hills Taluk, Namakkal District.

4.The Sub Inspector of Police
Valavanthinadu Police Station, Namakkal District.

W.M.P.No.12471 of 2025
in Writ Petition No.2927 of 2025