



WEB COPY

WMP NO. 25409 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

WMP NO. 25409 of 2025

IN

WP NO. 36005 OF 2024

R.Saraswathy

W/o.Raju, Door No.3/120(1), J. Krishnapuram, Sulur Taluk,
Coimbatore District.

Petitioner(s)

Vs

Shakkthi,

S/o.Palanisamy, Door No.2/439, West Street, Kanakkampalayam
Village, Tiruppur Taluk, Tiruppur District. and 4 Others

Respondent(s)

WP NO. 36005 of 2024

Shakkthi,

S/o. Palanisamy, Door No. 2/439, West Street, Kanakkampalayam
Village, Tiruppur Taluk, Tiruppur.

Vs

THE DISTRICT COLLECTOR
COIMBATORE DISTRICT.

WMP NO. 25409 of 2025

For Petitioner(s):

R.T.Vishnu

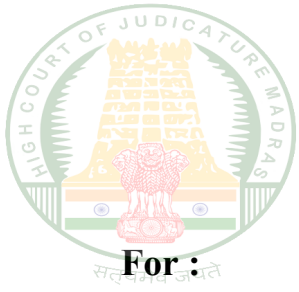
C.A.Ramanan

M.Indira Priyadarshini

For Respondent(s):

WP NO. 36005 of 2024

For :



M.Selvam
R.Venkatesan
S.Sowmiya
P.Thirumalaivasan
A.Mukesh



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ORDER

The above petition is filed seeking to recall the order dated 02.12.2024 passed by this Court in WP.No.36005 of 2024.

2.The above Writ Petition had been filed by the 1st respondent herein seeking a mandamus to respondents 3 and 4 herein to measure and demarcate the property in J.Krishnapuram Village, Sulur Taluk, Coimbatore District comprised in Old S.No.302/1, New S.No.302/1C to an extent of 1.22 acres to put the fencing to the property with the assistance of the 5th respondent within the time frame.

3.Considering the fact that the petition was only to survey and demarcate the property this Court had allowed the Writ Petition directing the 2nd respondent to consider the online application of the 1st respondent dated 21.10.2024 and conduct survey after giving opportunity to all the persons interested, hold enquiry and thereafter pass orders, either to survey and demarcate the property or to reject



the request.

4. The petitioner would submit that the order has been obtained by the 1st

respondent by suppressing the true facts and by exercising deceit. The petitioner

would submit that the 1st respondent had suppressed the two suits pending

between the parties in OS.No.1189 of 2023 filed by the petitioner against the 1st

respondent and 6 others before the Principal Sub Court, Coimbatore. The 1st

respondent has himself filed the suit OS.No.146 of 2023 on the file of the District

Munsif, Salem, for permanent injunction restraining the petitioner herein, their

men agents servants etc,. The pendency of the suits have been totally suppressed

by the 1st respondent .

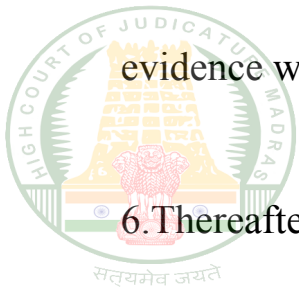
5. That apart, it is seen that in the suit OS.No.146 of 2023 the 1st respondent has

filed IA.No.2 of 2023 seeking an ad interim injunction. This was dismissed by

order dated 22.03.2024 where the learned District Munsif, Salem questioned the

plaintiff's title in OS.No.1189 of 2023 before the Principal Sub Court,

Coimbatore and any order that is going to be passed without examining the



evidence would cause grave hardship to the petitioner.

6. Thereafter, WP.No.36005 of 2023 has been filed and there is no mention about the above suit OS.No.146 of 2005 and the dismissal of the ad interim injunction petition.

7. Therefore, while granting leave to the petitioner, a third party to the writ petition as he is an aggrieved party to file the recall petition the order dated 02.12.2024 is recalled. The Registry is directed to post the writ petition before the regular Court.

25-06-2025

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WMP NO. 25409 of 2025

To

1. Shakkthi,
S/o.Palanisamy, Door No.2/439, West Street, Kanakkampalayam Village,
Tiruppur Taluk, Tiruppur District.

2. Tjhe District Collector
Coimbatore District.

3. The Tahsildar
J.Krishnapuram Village, Sulur Taluk, Coimbatore District.

4. The District Surveyor
J.Krishnapuram Village, Sulur Taluk, Coimbatore District.

5. The Inspector Of Police
Sulthanpettai Police Station, Coimbatore District.



WP NO. 36005 of 2024



**1. THE DISTRICT COLLECTOR
COIMBATORE DISTRICT.**

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