



W.P.(MD)No.3188 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3188 of 2025

- 1.Lakshmi
- 2.Lakshmanan
- 3.Bhuvaneshwari

.... Petitioner

/Vs./

1. The State of Tamil Nadu
Rep. by its the District Collector,
Theni District, Theni.
2. The Revenue Divisional Officer
Periyakulam, Theni District.
3. The Tahsildar
Theni Taluk, Theni District.
4. The Head Surveyor
Theni Taluk, Theni District.
5. The Sub Inspector of Police
Veerapandi Police Station, Theni Taluk,
Theni District.

- 6 K.Alagar

.... Respondents



W.P.(MD)No.3188 of 2025

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to consider petitioner representation dated 09.01.2025 to the respondent authorities to direct the 6th respondent approach Civil Court for appropriate remedy.

For Petitioner	: Mr.P.M.Vishnuvarthanan
For R1 to R4	: Mr.B.Saravanan Additional Government Pleader
For R5	: Mr.S.Prakash Government Advocate (Crl.side)
For R6	: Mr.R.Suriyanarayanan

ORDER

The petitioner sought for issuance of a Writ of Mandamus to direct the third respondent to consider the representation of the writ petitioner dated 09.01.2025 and also to direct the sixth respondent to approach the Civil Court for remedy.

2. I have heard the learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 to 4, Mr.S.Prakash, learned Government Advocate appearing for the fifth respondent and Mr.R.Suriyanarayanan, learned counsel appearing for the sixth respondent.



W.P.(MD)No.3188 of 2025

WEB COPY

3. It is seen that the sixth respondent filed a writ petition in W.P. (MD)No.27525 of 2024 and this Court by an order dated 19.11.2024 permitted survey to be conducted based on the sixth respondent's application subject to several conditions that have been imposed in the said order. The grievance of the petitioner is that his objections are not being heard and a survey is proposed to be conducted, without hearing his objections.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the authorities are scrupulously following the directions issued by this Court in W.P(MD)No.27525 of 2024 dated 19.11.2024 and the petitioner's apprehensions are baseless. According to the learned Additional Government Pleader, the third respondent will first conduct an enquiry and hear the objections of the writ petitioner before undertaking the exercise of survey, in terms of the order of this Court dated 19.11.2024 and only in the event of the petitioner's objections being overruled, survey would be proceeded with, after issuing proper summons to the petitioner. Therefore, recording the



W.P.(MD)No.3188 of 2025

WEB COPY

said submission, no further orders are necessary in the writ petition. The writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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26.03.2025