



W.P.(MD)No.6372 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.6372 of 2025

and

W.M.P.(MD)No.4690 of 2025

N.Raja

: Petitioner

Vs.

1.The District Collector,
Collectorate,
Dindigul District.

2.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Palani,
Dindigul District.

3.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

4.Prakash

5.Periyasamy

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 2 and 3 to survey the land in Survey Nos.932/1F2, 932/1F1 and 932/1G in Ayyalur Village in Vendasandur Taluk in Dindigul District within the time stipulated by this Court.

For Petitioner : Mr.S.Louis
For Respondents 1 to 3 : Mr.M.Lingadurai,
Special Government Pleader

ORDER

Though the petitioner has sought for issuance of Writ of Mandamus directing the survey to be conducted based on the petitioner's application dated 25.02.2025, when the Writ Petition was taken up for admission, Mr.M.Lingadurai, learned Special Government Pleader invited my attention to the written instructions received by him dated 08.03.2025, wherein it is stated that the fourth respondent in this Writ Petition one Prakash, has filed a suit in O.S.No.58 of 2025, which is pending on the file of the Sub-Court, Vendasandur and in the said suit already application in I.A.No.3 of 2025, has been filed and allowed by the Court appointing the



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Advocate Commissioner to conduct inspection by taking the assistance of the concerned Surveyor.

2. In view of the very same exercise that has been sought for in this Writ Petition, proposed to be carried out before the competent Civil Court, where the petitioner is also arrayed as one of the defendants, no separate directions need be issued for survey in this Writ Petition. It would suffice to direct the Advocate Commissioner who has been appointed by the Court to conduct the inspection in the presence of the writ petitioner as well as other parties to the suit in O.S.No.58 of 2025. The Advocate Commissioner as well as the surveyor, with whose assistance the survey is going to be taken by the Advocate Commissioner, shall take into account the objections and claims of the writ petitioner by way of memo of instructions to be filed by the petitioner as also the plaintiff in the suit. The Advocate Commissioner's report along with the survey report shall be filed before the competent Civil Court in O.S.No.58 of 2025, where the Commissioner has been appointed and the petitioner will always have an opportunity to contest the survey before the competent Civil Court.



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3.Recording the same, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

10.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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