



W.P(MD)No.10094 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.10094 of 2022

N.P.K.S.Mohamed Nainar

... Petitioner

Vs

- 1.The District Collector,
Theni District Collector Office,
Madurai Road, Theni & Taluk,
Theni District.
- 2.The District Revenue Officer,
Theni District Collector Office,
Madurai Road, Theni & Taluk,
Theni District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Indhira Nagar, Uthamapalayam & Taluk,
Theni District.
- 4.The Tahsildar,
Bodi Taluk Office,
Bodi & Taluk, Theni District.

5.B.Vasanthi

... Respondents

(R – 5 is impleaded vide order dated 08.01.2025
in W.M.P(MD)No.9100 of 2022)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to give sufficient time for collecting the records and documents pertaining to land in S.No.197/1 in order to prefer an appeal before the



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competent authority for the U.D.R correction the District Revenue Officer, Theni of Theni District also to direct the fourth respondent not to carry out the process of survey of the dry land in Survey No.197/1 measuring to an extent of 8 acres 83 cents on the strength of the order issued in W.P(MD)No.8684 of 2022 dated 29.04.2022.

For Petitioner : Mr.K.Safar Badhusha

For RR 1 to 4 : Mr.S.Shanmugavel
Additional Government Pleader

For R – 5 : Mr.T.Cibi Chakraborty

ORDER

This Writ Petition has been filed by the petitioner for a direction directing the respondents 1 to 4 to give sufficient time for collecting the records and documents pertaining to land in S.No. 197/1 in order to prefer an appeal before the competent authority for the U.D.R correction the District Revenue Officer, Theni of Theni District and also to direct the fourth respondent not to carry out the process of survey of the dry land in Survey No.197/1 measuring to an extent of 8 acres 83 cents on the strength of the order issued in W.P(MD)No.8684 of 2022 dated 29.04.2022.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3.The petitioner sought for time to collect some more documents in respect of the land comprised in Survey No.197/1 situated at Bodinayakanur, Theni District to file an appeal for UDR correction on the file of the District Revenue Officer, Theni District.

4.It is seen that the petitioner has no document to show the title over the subject property. The fifth respondent is the purchaser of the subject property and made request for survey. At that juncture, the petitioner made an application as if he had title over the property. That apart, now the subject property was already surveyed on the request made by the fifth respondent. Therefore, the prayer sought for in this Writ Petition cannot be granted and the Writ Petition itself is devoid of merits and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. If at all any grievance, the petitioner ought to have approached the civil Court for appropriate relief in the manner known to law. There shall be no order as to costs.

**08.01.2025
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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Theni District Collector Office,
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Bodi Taluk Office,
Bodi & Taluk, Theni District.



WEB COPY



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.10094 of 2022

08.01.2025
(1/2)