

W.P.(MD)No.12529 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12529 of 2025

S.Balakrishnan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kodaikanal,
Dindugal District.

2.The Tahsildar,
Office of Tahsildar,
Kodaikanal,
Dindugal District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's objection given on 09.04.2025 in connection with the Survey proposed to be done in Survey Nos.600/4, 600/5, 609/4 at Poondi Village, Kodaikanal Taluk, followed by the order of this Court in WP(MD) No. 4295/2025.

For Petitioner : Mr.T.Palanisamy

For Respondents : Mr.B.Saravanan
Additional Government Pleader



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ORDER

The petitioner herein is the 5th respondent in W.P(MD)No.4295 of 2025.

At the instance of one P.Kuppusamy, I had disposed of the said writ petition on 19.02.2025, directing the said P.Kuppusamy's survey application to be disposed of, after hearing the objections if any of the petitioner herein.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The grievance of the petitioner herein is that though the petitioner has given his objections in writing on 09.04.2025, the same has not been considered and the authorities are proceeding to straight away conduct a survey. The order passed by me on 19.02.2025 clearly indicates that if there are any objections made by the petitioner herein, then it shall be open to the respondents 2 and 3 to take the assistance of the police officials and proceed to conduct survey. Now, the petitioner herein contends that he is interested in the subject matter of the lands sought to be surveyed and therefore, the authorities have to conduct necessary enquiry before proceeding to conduct survey.



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4. I have gone through the affidavit in support of the writ petition and also the objection given by the writ petitioner on 09.04.2025.

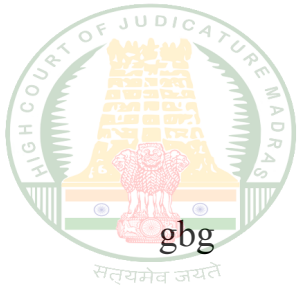
5. In the light of the above, it is made clear that the respondents before taking a decision to conduct survey, shall conduct enquiry, hear the petitioner in W.P(MD)No.4295 of 2025 as well as the petitioner herein and pass orders on the objections of the petitioner herein before deciding as to whether there is any issue of title requiring the parties to approach the competent Civil Court or whether the objections are frivolous and vexatious, not requiring the parties to approach the Civil Court. Any such decision taken after enquiry shall be implemented, giving at least four (4) weeks time to enable the aggrieved party to approach the competent Civil Court.

6. In view of the above terms, this Writ Petition is disposed of. No costs.

29.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no

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P.B.BALAJI, J.

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To:

- 1.The Revenue Divisional Officer,
Kodaikanal,
Dindugal District.
- 2.The Tahsildar,
Office of Tahsildar,
Kodaikanal,
Dindugal District.

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