

W.A(MD)No.101 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.101 of 2023
and
C.M.P(MD)Nos.1415 & 1417 of 2023**

R.Gopal

... Petitioner /
Third Party

Vs.

1.Thavaselvi

... 1st Respondent /
Petitioner

2.The Tahsildar,
Singampunari Taluk,
Sivagangai District.

3.The Surveyor,
Singampunari Taluk,
Sivagangai District.

... Respondents 2 & 3/
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order of the Hon'ble single Judge dated 19.04.2022 made in W.P(MD)No.7232 of 2022 by allowing this Writ Appeal.



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For Appellant : Mrs.Lakshmi Gopinathan
for M/s.Polex Legal Solution

For Respondents : Mr.S.Gokulraj for R.1

Mr.N.Satheesh Kumar
Additional Government Pleader
for R.2 & R.3

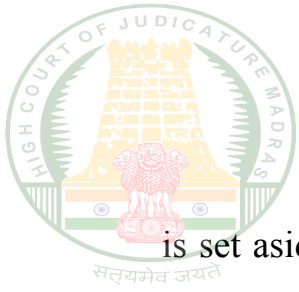
JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

Heard both sides.

2.The learned single Judge had directed that survey shall be conducted at the instance of the writ petitioner vide order dated 19.04.2022 in W.P(MD)No. 7232 of 2022. Challenging the same, this third party Writ Appeal has been filed.

3.It is admitted on both sides that the writ petitioner has subsequently filed O.S.No.194 of 2022 on the file of the Sub Court, Sivagangai. The appellant herein is a party defendant in the said suit. Since the parties have already gone to the civil Court, there is no need to conduct a survey in the meanwhile. In this view of the matter, the order impugned in this Writ Appeal



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is set aside. Liberty is given to both the parties to work out their rights in the manner known to law.

4.This Writ Appeal is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]
11.06.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

- 1.The Tahsildar,
Singampunari Taluk,
Sivagangai District.
- 2.The Surveyor,
Singampunari Taluk,
Sivagangai District.
- 3.The Sub Court,
Sivagangai.



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and

K.RAJASEKAR, J.

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