



W.P.(MD)No.15979 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.15979 of 2023

R.Ramachandran

.... Petitioner

/Vs./

1.The Tahsildar,
Kovilpatti Taluk Office,
Thoothukudi District.

2.The Surveyor,
Kovilpatti Taluk,
Thoothukudi District.

3.R.Kanagalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider the objection submitted by the petitioner dated 11.03.2023 and 15.06.2023 and pass survey report within the time frame stipulated by this Court.

For Petitioner	: Mr.M.Mahaboob Fazil
For R1 & R2	: Mr.B.Saravanan Additional Government Pleader
For R3	: Mrs.Porkodi Karnan for M/s.Polax Legal Solution



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ORDER

The petitioner has filed the writ petition seeking issuance of writ of mandamus to direct the respondents 1 & 2 to consider the objection of the petitioner, dated 11.03.2023 and 15.06.2023 and thereafter pass survey report within the time frame stipulated by this Court.

2.The learned counsel for the third respondent would submit that already a survey has been conducted on 15.06.2023 and therefore, nothing survives for consideration in the writ petition itself.

3. The learned Additional Government Pleader appearing for the respondents 1 & 2 would also submit that the Revenue Divisional Officer has passed an order dated 25.09.2023 itself and therefore, the prayer sought for in the writ petition cannot be entertained.

4. I have carefully considered the submission advanced by the learned counsel for the parties.



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5. Though the third respondent herein preferred a writ petition before this Court in W.P(MD)No.5019 of 2023 seeking issuance of writ of mandamus to conduct survey and earmark the third respondent's land in Plot No.8,12,14 and 24 in S.No.2330/516-1B based on the third respondent's application dated 13.09.2022, the said writ petition came to be disposed of finally by this Court on 09.03.2023 directing the Tahsildar, Kovipatti to examine whether there is any dispute pending between the parties before any civil forum and thereafter, take a considered decision within a period of six weeks from the date of receipt of a copy of the order. However, on perusal of the proceedings in Na.Ka.A1/3655/2023, dated 16.06.2023 it is seen that the Tahsildar, Kovilpatti has already conducted a survey and filed his report. The copy of the said communication has been marked to the third respondent. According to the counsel for the petitioner, the grievance of the writ petitioner has not been addressed by the Revenue Divisional Officer.

6. The petitioner was also heard by the Revenue Divisional Officer before passing the final orders on the application given by the third respondent, which is also directed to be disposed by the order of



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this Court dated 09.03.2023. In view of the above, liberty is given to the petitioner to challenge the proceedings of the Revenue Divisional Officer in the manner known to law. Considering the fact that he is in dark about the said order that has been passed by the Revenue Divisional Officer, the third respondent shall maintain status quo for a period of four weeks to enable the petitioner to move the appellate forum and obtain an interim order.

7. In fine, with the above liberty, the writ petition is dismissed. No costs.

Index : Yes / No
NCC : Yes / No
am

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TO:-

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Thoothukudi District.
- 2.The Surveyor,
Kovilpatti Taluk,
Thoothukudi District.



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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.15979 of 2023

Dated:
03.02.2025