



WA(MD). No.657 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 25/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.657 of 2025
and CMP(MD) No.4665 of 2025

B.Tarmalingam

... Appellant/third party

v.

1.P.Sundararaj

2.The Tahsildar
Melur Taluk
Melur, Madurai District.

3.The Head Surveyor,
Taluk Office,
Melur,
Madurai District

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 20.04.2021 in WP(MD). No.5234 of 2021.

For Appellants : Mr.V.Janakiramulu
For Respondents : Mrs.D.Farjana Ghoushia for R2&R3
Special Government Pleader
Mr.T.Vadivelan for R1



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JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The third party is the appellant herein.

2. Challenging the order of the writ Court dated 20.04.2021 in WP(MD) No.5231 of 2021, this appeal has been filed.

3. The first respondent/writ petitioner has filed the writ petition for a mandamus directing the respondents to survey and demarcate the four boundaries of his property by considering his application dated 07.02.2020. The writ Court considering the limited the relief sought for, directed the respondents to consider the application of the writ petitioner and survey the subject property within a period of four weeks. Aggrieved by the said direction, the third party is before this Court with this writ appeal.

4. When the writ appeal came up for hearing on 21.03.2025, this Court passed the following order:



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“This writ appeal is filed challenging the order dated 20.04.2021 made in W.P.(MD)No.5234 of 2021.

2.The learned Special Government Pleader appearing for the respondents 2 and 3 submits that there is a property disputed between the writ petitioner and the appellant herein. The writ petitioner filed the writ petition seeking to survey the property in question. The revenue officials as per the direction of this Court had conducted enquiry and found that the petitioner had obtained the documents in his name in respect of the subject property fraudulently. Hence, the Tahsildar has made a recommendation to the Revenue Divisional Officer to cancel the patta granted in favour of the writ petitioner and the same is pending. Hence, she seeks time to obtain necessary orders from the Revenue Divisional Officer.

3.List this matter on 07.04.2025.”

5. As per the aforesaid order, the Revenue Divisional Officer seized of the matter and no orders have been passed so far. Since the matter is seized of by the Revenue Divisional Officer, the Revenue Divisional Officer shall proceed further and pass final orders on merits and in accordance with law, as expeditiously as possible. Accordingly,



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the writ appeal stands disposed of. No costs. Consequently connected
Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

25.04.2025

NCC : Yes/No
Index : Yes/No

RR

To
2.The Tahsildar
Melur Taluk
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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.657 of 2025

Date : 25/04/2025