

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.22148 of 2015

S.Mohan

..

Petitioner

vs

- 1.The Tahsildar
Nagapattinam Taluk
Nagapattinam
- 2.The Head Surveyor
Nagapattinam
Nagapattinam

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 27.3.2015, and directing them to measure and demarcate the petitioner's property comprised in Survey No.65/7B, measuring an extent of 0.13 cents located at Pa.Konthagai Village, Thitacheri Taluk, Nagore, Nagapattinam, based on the documents submitted to them and their revenue records.

For Petitioner : Mr.R.Nilavazhagan

For Respondents : Mr.Rm.Muthukumar
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims to have succeeded to the estate of his father along with his brother and two sisters in respect of a house admeasuring to a total extent of 0.13 cents, comprised in Survey No.65/7B, at Pa.Konthagai Village, Thitacheri Taluk, Nagore, Nagapattinam District, by means of a registered sale deed dated 4.1.1996, bearing Document No.4/1996, on the file of the Office of the Sub-Registrar, Thirumarugal, Nagore. The petitioner would further state that patta No.1365 also stands in their name and however, the adjacent land owners have encroached upon the petitioner's land to an extent of 0.5 cents, disputing the title of the petitioner in respect of the same, and the petitioner, in this regard, has approached the second respondent by means of an

application/representation dated 27.3.2015, praying for measurement of the land, and also paid the prescribed fee of Rs.80/- on 27.3.2015, and since he has not been favoured with any kind of response, came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.Rm.Muthukumar, learned Government Advocate, who accepted notice on behalf of the respondents.

4.This Court, without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's application/representation dated 27.3.2015, in accordance with law, after putting on notice, the persons concerned, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

nsv

To:

- 1.The Tahsildar
Nagapattinam Taluk
Nagapattinam
- 2.The Head Surveyor
Nagapattinam
Nagapattinam

+1 cc to Mr.R. Nilavazhagan, Advocate, sr.37982/2015

+1 cc to M/s. Government Pleader, sr.37724/2015

cnr (co)
kra (06/08)

W.P.No.22148 of 2015