



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.08.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.15562 of 2015

K.Alagarsamy

... Petitioner

Vs.

The Tahsildar,
Aandipatty Taluk Office,
Aandipatty,
Theni District.

... Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to consider the petitioner's representation, dated 28.07.2015 and pass orders within the time stipulated by this Court.

For petitioner : Mr.L.R.Venkatesan

For Respondents : Mr.M.Murugan,
Government Advocate, takes notice

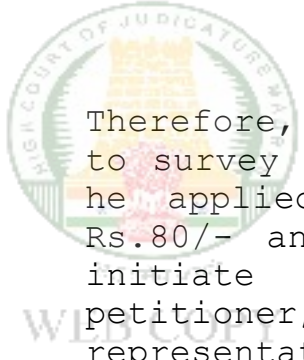
ORDER

The Writ Petition has been filed by the petitioner praying for a Writ of Mandamus directing the respondent to consider the petitioner's representation, dated 28.07.2015 and pass orders within a stipulated time.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4.It is averred in the petition filed in support of the Writ Petition that the petitioner is residing in Natchiyarpuram, Kovilpatti Village, Aandipatty Taluk, Theni District. The petitioner and his son are having lands in Kovilpatty village in patta No.2219, Survey No.644/4B2 to an extent of 0.08.0 Ares, in patta No.2688, Survey No.643/11 to an extent of 0.30.0 Ares, in Patta No.2689, Survey No.738/2A, 738/2C to an extent of 0.70.50 Ares. The lands in Survey No.644/4B are in joint patta along with one Rajendran, who is the brother of the petitioner and other lands are in the name of the mother of the petitioner and another.



Therefore, in order to get separate patta, the petitioner wanted to survey the above said lands and fix stones in the boundary and he applied for the same along with Treasury Chalan fees of Rs.80/- and Rs.320/- respectively. But the respondent did not initiate any action on the application submitted by the petitioner, dated 28.07.2015. Hence, the petitioner sent a representation dated 05.08.2015. The said representation was not considered so far. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.

5. Considering the submissions made, without considering the merits of the matter, this Court directs the respondent to consider the application of the petitioner, dated 05.08.2015, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, by affording an opportunity of hearing to all the necessary parties. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the respondent to pass orders purely on merits.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Aandipatty Taluk Office,
Aandipatty,
Theni District.

+ 1 CC TO MR.L.R.VENKATESAN, ADVOCATE IN SR NO. 49761
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 50029

PM
TE/NGM-SS/SAR(J) 10/09/2015 2P/4C

W.P (MD) .No.15562 of 2015
28.08.2015