



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.(MD)No.16350 of 2015

T.SAGAYANESAN

.. Petitioner

Vs.

1. THE DISTRICT COLLECTOR,
TUTICORIN, TUTICORIN DISTRICT.

2. THE ASSISTANT DEPUTY
DIRECTOR, LAND AND SURVEY,
TUTICORIN DISTRICT.

3. THE THASILDAR,
VILATHIKULAM, TUTICORIN DISTRICT.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to survey the land in survey No.208/2A1A in patta No.638 admeasuring 54 ares situated at Vembar Village, Vilathikulam Taluk, Tuticorin District based on the petitioner's representation, dated 13.08.2015.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.M.Murugan
Government Advocate
O R D E R

This writ petition has been filed for a Writ of Mandamus directing the 2nd respondent to survey the land in survey No.208/2A1A in patta No.638 admeasuring 54 ares situated at Vembar Village, Vilathikulam Taluk, Tuticorin District based on the petitioner's representation, dated 13.08.2015.

2.Though very many contentions have been raised in this writ petition, the learned counsel for the petitioner submitted that if a direction is given to the second respondent to consider the representation of the petitioner dated 13.08.2015, that would suffice.

3.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

4.In view of the submission made by the learned counsel for the petitioner, I am of the considered opinion that there is no need for this Court to traverse through the entire averments made in the affidavit. Hence, considering the facts and circumstances of the case, without going into the merits of the matter, this Court directs the third respondent to consider the representation of the petitioner dated 13.08.2015 with regard to survey the land in Survey No.208/2A1A in Patta No.638 admeasuring 54 ares situated at Vembar Village, Vilathikulam Taluk, Tuticorin District, after conducting enquiry by affording opportunity to the petitioner and other necessary parties, if any, and pass appropriate orders on merits and in accordance with law, within a period of four



weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion about the merits of the case.

5. This writ petition stands disposed of accordingly. No costs.

Sd/-

The Assistant Registrar(AE)

/True copy/

Sub-Assistant Registrar

To

1. THE DISTRICT COLLECTOR,
TUTICORIN, TUTICORIN DISTRICT.
2. THE ASSISTANT DEPUTY
DIRECTOR, LAND AND SURVEY,
TUTICORIN DISTRICT.
3. THE THASILDAR,
VILATHIKULAM, TUTICORIN DISTRICT.

+1cc M/s.M.Subasha Babu, Advocate SR.No.53404

+1cc to special Government Pleader, SR.N.53785

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W.P. (MD) No.16350 of 2015
09.09.2015