



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.09.2015**

CORAM

THE HONOURABLE **MR.JUSTICE R.SUBBIAH**

W.P(MD) .No.16549 of 2015

Kamala

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

3.The Taluk Deputy Inspector of Survey,
Thiruppathur Taluk,
Sivagangai District.

4.The Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the respondents 1 to 3 to measure the petitioner's land in S.No.566/29 to an extent of 00.01.20 Hectare of Maruthipatti Village, S.V.Mangalam Village Group, Thiruppathur Taluk, Sivagangai District with the help of the fourth respondent.

For petitioner : Mr.V.Kannan

For Respondents : Mr.D.Muruganantham

Addl. Govt. Pleader takes notice

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the respondents 1 to 3 to measure the petitioner's land in S.No.566/29 to an extent of 00.01.20 Hectare of Maruthipatti Village, S.V.Mangalam Village Group, Thiruppathur Taluk, Sivagangai District with the help of the fourth respondent.

2. Heard Mr.V.Kannan, learned counsel appearing for the petitioner. Mr.D.Muruganantham, learned Additional Government Pleader takes notice for the respondents.

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



4. The petitioner is the owner of the house site land comprised in S.No.566/29 to an extent of 11.01.20 Hectare of Maruthipatti Village, S.V.Mangalam Village Group, Thiruppathur Taluk, Sivagangai District. The house property was given by the Government as Assignment in the year 2001 through the proceedings of the Tahsildar, Thiruppathur, dated 10.03.2001. The said property is in possession and enjoyment of the petitioner. While so, now the petitioner by paying necessary fees, on 04.08.2015 has requested the respondents to measure his land in Survey No.566/29 to an extent of 00.01.20 Hectare of Maruthipatti Village, S.V.Mangalam Village Group, Thiruppathur Taluk, Sivagangai District with the help of the fourth respondent. But the said request was not considered so far. Hence, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the matter, this Court directs the petitioner to give a fresh representation along with a copy of this order to the respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the representation of the petitioner with regard to measurement of the petitioner's land in Survey No.566/29 to an extent of 00.01.20 Hectare of Maruthipatti Village, S.V.Mangalam Village Group, Thiruppathur Taluk, Sivagangai District with the help of the fourth respondent, and pass appropriate orders on merits and in accordance with law, within a period of six weeks, thereafter. It is made clear that this Court has not expressed any opinion about the merits of the case.

6. This writ petition stands disposed of accordingly. No Costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector, Sivagangai District, Sivagangai.
- 2.The Tahsildar, Thiruppathur Taluk, Sivagangai District.
- 3.The Taluk Deputy Inspector of Survey,
Thiruppathur Taluk, Sivagangai District.
- 4.The Inspector of Police,
S.V.Mangalam Police Station, Sivagangai District.

+1cc to Mr.V.Kannan, Advocate Sr.No.53923

+1cc to The Special Government Pleader SR.No.53929

akm/14.09.2015 /2p-6c/

W.P(MD).No.16549 of 2015