



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.09.2015

CORAM

WEB COPY

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

W.P(MD) .No.16736 of 2015

Lakshmanan

...Petitioner

Vs.

1.The Tahsildar,
Aathoor Taluk,
Dindigul District.

2.The Taluk Surveyor,
Taluk Office,
Aathoor Taluk,
Dindigul District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first respondent to issue a direction to the second respondent to measure the land in Survey No.1322/10 situated at Kathirnaickanpatti, Chitharevu Village, Aathoor Taluk, Dindigul District.

For petitioner : Mr.P.T.Ramesh Raja

For Respondents : Mr.S.Kumar,

Additional Government Pleader

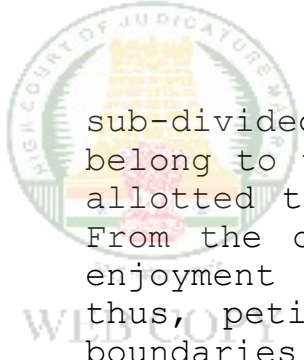
ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to issue a direction to the second respondent to measure the land in Survey No.1322/10 situated at Kathirnaickanpatti, Chitharevu Village, Aathoor Taluk, Dindigul District.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

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

4. The case of the petitioner is that the land measuring to an extent of 3 $\frac{3}{4}$ cent comprised in Survey No.1322/10 situated at Kathirnaickanpatti, Chitharavur Village, Aathoor Taluk, Dindigul District was earlier comprised in Survey No.196/5 and thereafter



sub-divided into Survey No.1322/10. The said property originally belong to the father of the petitioner and thereafter the same was allotted to the petitioner during partition vide document No.889. From the date of partition, the petitioner is in possession and enjoyment of the above said property. While the matter stood thus, petitioner wanted to measure the property and to fix the boundaries. Hence, the petitioner sent a representation to the first respondent on 20.07.2015 to measure the property. But, the same was not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. The learned counsel appearing for the petitioner submitted that the petitioner had given a representation to the first respondent on 27.07.2015 by mentioning the names of the adjacent land owners namely Ponnammal, W/o.Perumal, Rajendran, who is the brother of one Subbiah, Kanakavalli, W/o.Kuppusamy. Thus, a direction may be issued to consider the representation of the petitioner by issuing notice to all the necessary parties.

6. In view of the submission made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, the petitioner is directed to give a fresh representation to the second respondent mentioning the names of the necessary parties, along with a copy of this order, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of six weeks thereafter.

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

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

pm

To

1.The Tahsildar, Aathoor Taluk, Dindigul District.

2.The Taluk Surveyor,

Taluk Office, Aathoor Taluk, Dindigul District.

+1cc to MR.P.T.Ramesh Raja, Advocat SR NO.54534

W.P(MD).No.16736 of 2015

15.09.2015

RG.16.09.2015/PM/SAR-I 2P/4C.