



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.09.2015**

WEB COPY

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

W.P (MD) .No.17009 of 2015

1.P.Alagar

2.P.Vijayakumar

...Petitioners

Vs.

The Thasildar,
Kamuthi Taluk Office,
Kamuthi Taluk,
Ramanathapuram 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 measure the land and fix the four boundaries in Old Survey No.137/2, New Survey No.137/2D1, with an extent of 0.18.2 Ares in Karunkulam Village, Pakkuvetti Group, Ramanathapuram District based on the application, dated 13.08.2015 made by the first petitioner to the respondent within the time stipulated by this Court.

For petitioners

: Mr.B.Sukumar

For Respondent

: Mr.M.Murugan,
Government Advocate

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to measure the land and fix the four boundaries in Old Survey No.137/2, New Survey No.137/2D1 measuring to an extent of 0.18.2 Ares in Karunkulam Village, Pakkuvetti Group, Ramanathapuram District based on the application, dated 13.08.2015 made by the first petitioner to the respondent within a stipulated time.

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

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



4. The case of the petitioners is that the petitioners had purchased the property in Old Survey No.137/2, New Survey No.137/2D1 measuring to an extent of 0.18.2 Ares in Karunkulam Village, Pakkuvetti Group, Ramanathapuram District on 17.08.2012 through a registered sale deed in Document No.1135/2012. Thereafter, the petitioners had applied for transfer of patta in their name and got patta in their favour vide patta No.1914. From the date of purchase, the petitioners are enjoying the above said property by paying necessary tax. Thereafter, the petitioners wanted to sell the above said property and the proposed buyers insisted them to measure the land and fix the four boundaries. Hence, the petitioners made an application before the respondent on 13.08.2015 to survey and measure the land referred to above and paid necessary fee for the same. Since no steps have been taken to survey the land of the petitioners, finally the petitioners made a representation before the respondent on 27.08.2015 to survey their land. But, the same was also not considered so far. Hence, the petitioners have come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioners, without going into the merits of the claim made by the petitioners, the respondent is directed to consider the representation of the petitioners, dated 27.08.2015 and pass appropriate orders with regard to survey of the land which belongs to the petitioners, by affording an opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The Thasildar,
Kamuthi Taluk Office,
Kamuthi Taluk,
Ramanathapuram District.

+1cc to Mr.B.Sukumar, Advocate Sr.No.56032
+1cc to Spl.GOvernemnt Pleader Sr.No. 55787
pm
AA/AN-MP/06.10.2015/2p-4c

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