



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P (MD) .No.18671 of 2015

Santhi

...Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.The Taluk Deputy Surveyor,
Sivagangai Taluk,
Sivagangai District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the the second respondent to consider the petitioner's representation, dated 25.06.2015 to measure the land in S.No.297/36 to the extent of 0.04.0 Ares of Thamarakki South Village Group, Sivagangai Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.M.Murugan

Government Advocate

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the the second respondent to consider the petitioner's representation, dated 25.06.2015 to measure the land in S.No.297/36 to the extent of 0.04.0 Ares of Thamarakki South Village Group, Sivagangai Taluk, Sivagangai District.

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

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

4.Though very many contentions have been raised in the Writ Petition, at the time of making submissions, 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 25.06.2015, with regard to survey of land, that would suffice.



5. Considering the submissions made by the learned counsel for the petitioner, this Court is constrained to pass the following order:

Without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent to consider the representation of the petitioner, dated 25.06.2015, and pass appropriate orders, with regard to survey of the land in S.No.297/36 to an extent of 0.04.0 Ares of Thamarakki South Village Group, Sivagangai Taluk, Sivagangai District, which belongs to the petitioner, on merits and in accordance with law by affording an opportunity of hearing to all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order. 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 second respondent to consider the same purely on merits.

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

Sd/-

Assistant Registrar (Writ)

/TURE COPY/

Sub Assistant Registrar

pm

To

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Sivagangai Taluk, Sivagangai District.

3.The Taluk Deputy Surveyor,
Sivagangai Taluk,
Sivagangai District.

+1 cc to MR.V.KANNAN, ADVOCATE, SR NO: 60787

+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 60808

JAM /28.10.2015/SKS-RR /2P-6C

W.P (MD) .No.18671 of 2015
13.10.2015