



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
W.P.(MD)No.20658 of 2015
and
M.P.(MD) .No.1 of 2015

S.Sadaiyandi
Vs.

... Petitioner

1.The District Collector,
O/o. The District Collector,
Ramnad,
Ramnad District.

2.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Paramakudi,
Ramnad District.

4.The Tahsildhar,
Paramakudi,
Ramnad District.

5.The Town Surveyor,
Paramakudi,
Ramnad, Ramnad District.

6. The Inspector of Police,
Paramakudi Police Station,
Paramakudi,
Ramnad District.

7.S.Bhoominathan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondent No.5 to survey the land of the petitioner in Survey No.20/38A situated at Ward A, Block 3, 7/314A, Pilliyaar Kovil Street, Manjalpattinam, Eamuneshwaram Post, Paramakudi, Ramnad District and fix the boundary stones with adequate police protection to be provided by respondents No.2 and 6 within the stipulated time prescribed by this Court.

For Petitioner :Mr.T.Lajapathi Roy



O R D E R

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 6 and by consent of both the parties, the main Writ Petition itself is taken up for final disposal at the stage of admission.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 6.

3. The petitioner seeks for a writ of mandamus, directing the fifth respondent to survey the land of the petitioner by fixing the boundary stones with adequate police protection. It appears that some dispute has arisen between the petitioner and the seventh respondent, who is the brother of the petitioner. It is further seen that the petitioner himself has made such a request seeking survey of land on 03.11.2015.

4. When that being the position, filing a writ petition within a period of two weeks and seeking a mandamus for an action from the official respondent cannot be entertained, as the petitioner has to give sufficient and reasonable time to the respective respondent to consider his request. Therefore this Writ Petition is highly premature.

5. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach this Court, if the request of the petitioner seeking for re-survey of the land has not been considered and disposed of, based on merits and in accordance with law within a reasonable time. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
O/o. The District Collector,
Ramnad, Ramnad District.
- 2.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Paramakudi, Ramnad District.
4. The Tahsildhar, Paramakudi, Ramnad District.
- 5.The Town Surveyor, Paramakudi, Ramnad, Ramnad District.
- 6.The Inspector of Police,
Paramakudi Police Station, Paramakudi, Ramnad District.

+1cc to Mr.T.Lajapathi Roy, Advocate SR.No.67032

+1cc to The Special Government Pleader, Madurai. SR.No.66796

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