



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.20659 of 2015

M.Subramanian

... Petitioner

Vs.

1.The Tasildhar,
Madurai South Taluka,
Madurai District.

2.The Sub-Inspector of Police,
Koodakovil Police Station,
Koodakovil,
Madurai District.

3.Perumal

... Respondents

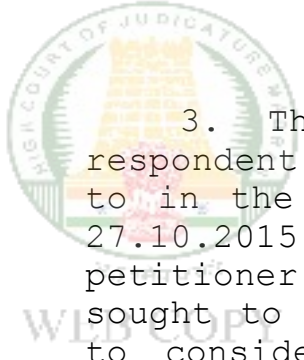
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the first respondent to survey and grant patta for petitioner's properties in Survey No.50/6B2 Ares 0.05.5 Cent 13-3/4 Northern side Cent 10 admeasuring 4360 Sqft situated at Madurai South Taluka, Madurai District, by taking necessary protection for the survey from the second respondent, by considering the petitioner's representation dated 27.10.2015, within the period stipulated by this Court.

For Petitioner :Mr.A.Haja Mohideen
For R1 and R2 :Mr.M.Murugan
Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 and 2 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&2.



3. The petitioner seeks for a direction to the first respondent to survey and grant patta to the properties referred to in the writ petition by considering his representation dated 27.10.2015. It is seen that there is a dispute between the petitioner and the third respondent with regard to the property sought to be surveyed. Therefore, it is for the first respondent to consider the request of the petitioner, after hearing the objection of the third respondent as well and pass orders on the request of the petitioner on merits and in accordance with law. As the first respondent has to consider the matter on merits, this Court at this stage has not expressed any view on the claim of the petitioner, as it is seen from the representation of the petitioner that even four months prior to making of such representation, the petitioner made a request and based on such request when a survey was sought to be conducted, the third respondent objected to it.

4. Therefore, I only direct the first respondent to consider the representation of the petitioner dated 27.10.2015 and pass orders on the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after giving due opportunity to the petitioner as well as the third respondent. Since the interest of the third respondent is protected in this writ petition without affecting any of his rights, notice to the third respondent is dispensed with.

5. With this direction this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

PJL

To

1.The Tasildhar, Madurai South Taluka, Madurai District.

2.The Sub-Inspector of Police, Koodakovil Police Station,
Koodakovil, Madurai District.

+one cc to The Special Government Pleader in SR.No. 66799

PJL

CSL/PM/04.12.2015

2P/4C

W.P. (MD) No.20659 of 2015

23.11.2015