

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15010 of 2016

Padmanapan

... Petitioner

vs.

The Tahsildar,
Utangarai Taluk,
Krishnagiri Taluk.

.... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to survey the patta land in Survey No.37/3A in Panamarathupatti Village, Krishnagiri District, based on the petitioner's representation dated 7.11.2015.

For Petitioner : Mr.M.Ravi
For Respondent : Mr.S.Navaneethan,
Addl. Govt. Pleader.

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to survey the patta land in Survey No.37/3A in Panamarathupatti Village, Krishnagiri District, based on his representation dated 7.11.2015.

3. It is case of the petitioner that the land measuring to an extent of 1.04 cents was obtained by him from one Velusamy through power of attorney on 28.11.2015 and he is enjoying the same. The respondent has given a joint patta in patta No.229 for the said land along with one Muralidharan, Velusamy, Vanasha, VEDIYAPPAN and Gopal. Since some anti social elements are trying to grab his land, the petitioner made a representation dated 7.11.2015 to the respondent to survey his land. However, the same was not considered so far. Hence, left with no other alternative, the petitioner has come up with the present writ petition.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondent.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to conduct an enquiry on the representation of the petitioner dated 7.11.2015 seeking to survey the patta land in Survey No.37/3A in Panamarathupatti Village, Krishnagiri District, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.
sbi

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

The Tahsildar,
Utangarai Taluk,
Krishnagiri Taluk.

+ 1 cc to Mr.M.Ravi, Advocate SR 25995

+ 1 cc to Govt.Pleader SR 25375

(co)
prk23/5

W.P.No.15010 of 2016

WEB COPY