



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.06.2016
CORAM

THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. (MD) No.10029 of 2016

WEB COPY

M. Ismail

.. Petitioner

vs.

1. The Tahsildar,
Ilaiyankudi Taluk,
Ilaiyankudi, Sivagangai District.

2. The Assistant Director,
Land Survey and Records Department,
Collectorate,
Sivagangai District.

3. The Land Surveyor,
Taluk Office,
Ilaiyankudi Taluk,
Sivagangai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondents to measure the Petitioner's land in G.R. Survey No.160/126 and 160/127 of Keelayur North Group, Ilaiyankudi Taluk, Sivagangai District, by identifying the four boundaries based on the Petitioner's application dated 07.12.2015 within a period stipulated by this Court.

For Petitioner : Mr. Akarathi

For Respondents : Mr. S. Kumar
Additional Government Pleader

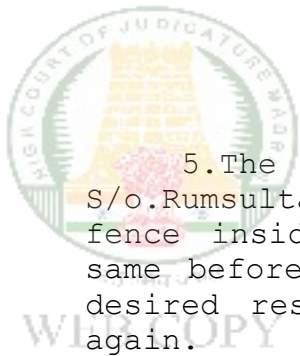
ORDER

The Petitioner has preferred the instant writ petition praying for issuance of a Writ of Mandamus directing the Respondents to measure the Petitioner's land in G.R. Survey No.160/126 and 160/127 of Keelayur North Group, Ilaiyankudi Taluk, Sivagangai District by identifying the four boundaries based on the Petitioner's application dated 07.12.2015 within a period stipulated by this Court.

2. Heard the Learned counsel for the Petitioner and the Learned Additional Government Pleader appearing for the Respondents.

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

4. According to the Petitioner, there is a house property and empty land situated in G.R. Survey No.160/126 and 160/127 of Keelayur North Group, Ilaiyankudi Taluk, Sivagangai District, which belongs to him. He has a patta for the said properties in his name, which was issued by the Tahsildar, Ilaiyankudi Taluk, Sivagangai District.



5.The main grievance of the Petitioner is that one Mohammed Ali, S/o.Rumsultan had trespassed into his land and he is trying to put up fence inside his property. The Petitioner's son complained about the same before the Ilayankudi Police Station. But it had not yielded the desired result. The said Mohammed Ali, is giving problems again and again.

6.The stand of the Petitioner is that he has not taken any action to survey and demarcate his land. On 07.12.2015, he has submitted an application before the first Respondent/Tahsildar, Ilayankudi to measure the land in G.R.Survey No.160/126 and 160/127 of Keelayur North Group, Ilayankudi Taluk, Sivagangai District, by identifying the four boundaries. Till date, his petition dated 07.12.2015, has not met with a positive response.

7.In view of the fact that the Petitioner's representation, dated 07.12.2015, is pending before the first Respondent, this Court, without going into the merits of the matter, directs the first Respondent to look into the representation of the Petitioner, dated 07.12.2015 and to pass a reasoned speaking order on merits, within a period of six weeks from the date of receipt of a copy of this order ((ofcourse after providing necessary opportunities to the Petitioner and others concerned by adhering to the principles of natural justice)).

8.With the above observations and directions, the writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To:

- 1.The Tahsildar,
Ilaiyankudi Taluk,
Ilaiyankudi, Sivagangai District.
- 2.The Assistant Director,
Land Survey and Records Department,
Collectorate,
Sivagangai District.
- 3.The Land Surveyor,
Taluk Office,
Ilaiyankudi Taluk,
Sivagangai District.

+1cc to M/S.Akarathi, Advocate in SR.No.28375
+1cc to Special Government Pleader in SR.No.28736

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