



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.06.2016

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THE HONOURABLE MR. JUSTICE M. VENUGOPALW.P (MD) No.10071 of 2016

Kaja Mydeen

..Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Thiruvadanai,
Thiruvadanai Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Taluk Office,
Thiruvadanai,
Thiruvadanai Taluk,
Ramanathapuram District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to survey and fix four boundaries of the Petitioner's land in Ananthoor Village, Ananthoor Group, Thiruvadanai Sub-Registrar Office bearing Patta No.8270 in S.No.143/2B1 measuring an extent of 0.34.5 hectare and 85 cents.

For Petitioner :M/s.J.M.Hassanul Bazari

For Respondents : Mr.J.Gunaseelan Muthiah
1 and 2 Govt.AdvocateORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.According to the Petitioner, he purchased the property bearing Patta No.8270 in S.No.143/2B1 measuring an extent of 0.34.5 hectare and 85 cents situated at Ananthoor Village and Group, Thiruvadanai Taluk, Ramanathapuram District, by means of sale deed, dated 15.3.2013(vide document No.342/13) from one



Meera Hussain. It appears that some of the adjacent owners of the Petitioner is endeavouring to encroach his property. Therefore, he made a representation, dated 1.2.2016 and 19.2.2016 to the respondents seeking to survey and fix four boundaries in his lands. In this regard, he paid the necessary fees.

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4.The grievance of the Petitioner is that the respondents and his officials have not considered his representations, dated 1.2.2016 and 19.2.2016 respectively in a positive manner. Hence he has filed the present Writ Petition before this Court.

5.In view of the fact that the Petitioner's representations, dated 1.2.2016 and 19.2.2016 addressed to the respondents 1 and 2 are pending as on date and the same is not yet disposed of, at this stage, this Court, in furtherance of substantial cause of justice, directs the respondents 1 and 2 to consider the representations of the Petitioner, dated 1.2.2016 and 19.2.2016 respectively in a fair, free and open minded passion and to dispose of the same on merits by passing a reasoned speaking order(of course after providing due opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of six weeks from the date of receipt of a copy of this order. It is open to the Petitioner to produce necessary documents/records before the respondents 1 and 2 and if the respondents 1 and 2 received the documents/records in question, then they shall take into account of the same at the time of disposal of the representations of the Petitioner, dated 1.2.2016 and 19.2.2016 within the time determined by this Court.

6.With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub-Assistant Registrar

To

1.The Tahsildar, Taluk Office,Thiruvadanai,
Thiruvadanai Taluk, Ramanathapuram District.

2.The Head Surveyor, Taluk Office, Thiruvadanai,
Thiruvadanai Taluk, Ramanathapuram District.

+One cc to Mr.J.M.Hassanul Bazari, Advocate, SR.No.28782

+One cc to The Special Government Pleader, SR.No.28760

vsn

RL/5C/2P/DB/16/6/2016