

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.06.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **M.VENUGOPAL****W.P. (MD) No.10142 of 2016**

A.Tamilraj

... Petitioner

Vs.

1. The District Collector,
District Collectorate,
Tuticorin.

2. The Tahsildar,
Tahsildar Office,
Tuticorin.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to survey and measure the meets and bounds of the survey No.40 on the basis of representation of the petitioner dated 05.05.2016.

For Petitioner : Mr.M.Sahul Hameed

For Respondents : Mr.S.Kumar

Additional Govt. Pleader

ORDER

Heard both sides.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. According to the petitioner, his wife Thanga Pushpam is the assignment holder in respect of land situated at Tuticorin Town, Ward-C, Block-26, T.S.No.40 measuring an extent of 383 sq.ft. with Plot No.40/109 under the provisions of Revenue Standing Order No.21.

4. The grievance of the petitioner is that he and his wife require a construction approval in respect of the property in question from the Town Planning Authority, Tuticorin. As such, they are in need of the measurement of the property by meets and bounds, to be measured by the survey authorities, who are under



the control of the second respondent. Admittedly, the petitioner had remitted a sum of Rs.80/- before the Sub-treasury, Tuticorin in regard to the measurement of property and in this regard, the petitioner had submitted an application before the second respondent, on 05.05.2016.

5. In view of the fact that the petitioner's wife is the assignment holder of the land in question, this Court, in the interest of justice and fair play, directs the petitioner's wife viz., Thanga Pushbam to submit a representation before the second respondent/Tahsildar, Tuticorin within a period of three days from the date of receipt of a copy of this order, for the purpose of measuring the property in question by meets and bounds. Upon receipt of necessary representation from the petitioner's wife, the second respondent is directed to look into the said representation and to pass a reasoned speaking order on merits and in accordance with law (of course, after providing necessary opportunity to the petitioner and others concerned, by adhering to the principles of natural justice) within a period of four weeks thereafter.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collectorate, Tuticorin.

2. The Tahsildar,
Tahsildar Office, Tuticorin.

+1cc to Mr.B.N.Raja Mohamed,Advocate Sr.No.28859

+1cc to Spl.Government Pleader Sr.No. 29082

akv

AA/ARK-PV/20.06.2016/2p-5c

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