



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 28.07.2016

CORAM

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.13308 of 2016

Karuppayee

..Petitioner

Vs

1.The District Collector,
Collectorate,
Trichy District,
Trichy.

2.The Tahsildar,
Taluk Office,
Marungapuri,
Tiruchi District.

3.The Thaluk Surveyor,
Taluk Office,
Marungapuri,
Tiruchi 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 second and third respondents to survey the Petitioner's land in S.No.131/2H and 131/3C, measuring an extent of 0.13 ares, Patta No.90 in Valanadu Village, Marungapuri Taluk, Trichy District on the Petitioner's petition, dated 13.6.2016.

For Petitioner :M/s.S.Radhakrishnan

For Respondents :Mr.J.Gunaseelan Muthiah
Govt.Advocate

ORDER

Heard both sides.

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

3.No counter is filed on behalf of the Respondents.

4.According to the Petitioner, his petition/representation, dated 13.6.2016 is pending on the file of the Third Respondent/The Taluk Surveyor, Taluk Office, Marungapuri, Tiruchi District. The



request of the Petitioner is to survey his land by the Second and Third Respondents, for which, he had remitted a sum of Rs.160/-. The Petitioner is a widow, possessing land in S.No.131/2H and 131/3C, measuring an extent of 0.13 ares, Patta No.90 in Valanadu Village, Marungapuri Taluk, Trichy District. She is now in peaceful possession and enjoyment of the above said land.

5.At this stage, it is not out of place for this Court to make a pertinent mention that the Petitioner in her petition/representation, dated 13.6.2016, addressed to the First Respondent/The District Collector, Collectorate, Trichy District, Trichy, had inter- alia stated that on 13.4.2016 at about 10.00 a.m in the morning, when the Surveyor came to the petitioner's property for measuring the land, one A.Dhanapal, son of Ezhuvar and (2)Rasu, son of Pazhani, prevented the measurement of property on the basis that a case was pending and they have falsely alleged that a case was pending etc.

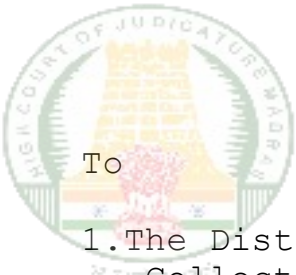
6.Considering the fact that the Petitioner's Petition/representation, dated 13.6.2016 is pending on the file of the Third Respondent, this Court, without expressing any opinion on the merits and contents of the representation of the Petitioner, simpliciter, in the interest of justice, directs the Third Respondent/The Taluk Surveyor, Taluk Office, Marungapuri, Tiruchi District to consider and dispose of the representation of the Petitioner, dated 13.6.2016, by passing a reasoned speaking order, in a free, fair and dispassionate manner, on merits(of course after providing necessary 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 four weeks from the date of receipt of a copy of this order. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Third Respondent and the Third Respondent in turn shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 13.6.2016.The Petitioner is directed to lend her assistance/co-operation to the Third Respondent in disposing of her representation, dated 13.6.2016, within the time determined by this Court.

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

Sd/-

Assistant Registrar(CS-II)

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1.The District Collector,
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Trichy District,
Trichy.

2.The Tahsildar,
Taluk Office,
Marungapuri,
Tiruchi District.

3.The Thaluk Surveyor,
Taluk Office,
Marungapuri,
Tiruchi District.

+1cc to M/S.S.RADHAKRISHNAN,ADVOCATE, SR NO: 40256
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 40190

JA-DB/09.08.2016-3P:6C
vsn

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