



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 29.07.2016
CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P(MD)No.13535 of 2016

Jothi

..Petitioner

Vs

The Taluk Surveyor,
Taluk Office,
Thiruppathur,
Sivagangai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to survey the Petitioner's land situated in S.No.224/15B at A.Kappalur Village, Thiruppathur Taluk, Sivagangai District by considering the Petitioner's representation dated 15.7.2016.

For Petitioner : M/s.D.Ramesh Kumar
For Respondent : Mr.S.Kumar
Addl.Govt.Pleader

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, he purchased a land in S.No.224/15B, situated at A.Kappalur Village, Thiruppathur Taluk, Sivagangai District. After the said purchase, he made an application to the Revenue Officials to sub-divide the above said survey number and for issuance of patta in his favour.

5.The grievance of the Petitioner is that for conduct of survey in respect of his land, as per the direction given by the Respondent/The Taluk surveyor, Taluk Office, Thiruppathur, Sivagangai District, he paid the necessary charges/fees, but the survey was not conducted in respect of his land for the reasons best known to the Respondent. As a matter of fact, when the Petitioner approached the Respondent, he gave an evasive reply and



had not taken any steps to survey his land. Therefore, he submitted his representation in this regard on 15.07.2016. Since no action has been taken in the subject-matter in issue, he has filed the present Writ Petition on 28.7.2016 within a period of 30 days from the date of his representation, dated 15.7.2016. On the face of it, it appears to this Court that the Petitioner has not given sufficient breathing time/opportunity to the Respondent to do the needful in the subject-matter in issue.

6. In view of the fact that the Petitioner's representation, dated 15.7.2016 is pending on the file of the Respondent/The Taluk Surveyor, Taluk Office, Thiruppathur, Sivagangai District without any progress or disposal, this Court, without precipitating the matter any further, simpliciter directs the Respondent to look into the representation of the Petitioner, dated 15.7.2016 within a period of one week from the date of receipt of a copy of this order and thereafter, to dispose of the same in a free, fair, unbiased 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 three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Respondent/The Tahsildar, Taluk Office, Thiruppathur, Sivagangai District and the Respondent shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 15.7.2016. The Petitioner is directed to lend his assistance and cooperation to the Respondent in disposing of his representation, dated 15.7.2016 within the time frame specified by this Court.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To
The Taluk Surveyor,
Taluk Office, Thiruppathur,
Sivagangai District.

+1cc to Mr. D. RAMESH KUMAR, Advocate Sr.No. 40605

+1cc to SPL. GOVERNMENT PLEADER Sr.No. 40892

VSN

AA/SKS-RR/04.08.2016/2p-4c

W.P (MD) No. 13535 of 2016

29.07.2016