



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.08.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.15193 of 2016

Kandasamy

... Petitioner

Vs.

1.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

2.The Head Surveyor,
Thirumangalam Taluk,
Madurai District.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to measure the petitioner's property in S.No. 193/7B to an extent of 1 Hectare 20 acre, S.No. 193/5A1 to an extent of 0.91.50 Hectare, 193/11B to an extent of 0.25.00 Hectare, 193/9C to an extent of 0.20.50 Hectare, 193/6A to an extent of 0.20.00 Hectare, 193/10C to an extent of 0.80.0 Hectare measuring and to demark the boundaries in Chittur Village, Thiurmangalam Taluk within the time frame fixed by this Court.

For Petitioner :Mrs.Lakshmi Gopinathan
For Respondents :Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

Heard both sides. By consent, the main writ petition itself is taken up for final disposal.

2. No counter is filed on behalf of the respondents.

3.According to the petitioner, the land in S.No. 193/7B to an extent of 1.20 Hectare, S.No. 193/5A1 to an extent of 0.91.50 Hectare, 193/11B to an extent of 0.25.00 Hectare, 193/9C to an extent of 0.20.50 Hectare, 193/6A to an extent of 0.20.00 Hectare, 193/10C to an extent of 0.08.0 Hectare situated in Chittur Village, Thiurmangalam Taluk were purchased by him through registered sale deeds on various years from enormous persons. From the date of his purchase, he is in possession and enjoyment of the properties in question. In fact, patta was transferred in his name. As a matter of fact, the adjacent owner is endeavouring to encroach the petitioner's properties. Therefore, he approached the First Respondent to measure the property and to lay boundaries. He paid necessary charges on 22.03.2016 and also made a representation together with a copy of the challan on 24.03.2016. Till date, the said



representation is pending. Hence, he has filed the present writ petition.

4. Considering the fact that the petitioner's representation dated 24.03.2016 is pending, in the subject matter in issue, before the Respondent Nos.1 & 2, this Court, at this stage, without expressing any opinion on the merits and demerits of the matter one way or other, simpliciter, directs the First and Second Respondents viz., the Tahsildar and the Head Surveyor, Thirumangalam Taluk, Madurai District respectively, to look into the representation of the petitioner dated 24.03.2016, within a period of one week from the date of receipt of copy of this order. Thereafter, the First and Second Respondents shall dispose of the same by passing a speaking, reasoned order on merits in a fair, free, unbiased and dispassionate manner, (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. The petitioner is also required to lend his assistance and co-operation to the First and Second Respondents/ the Tahsildar and the Head Surveyor, Thirumangalam Taluk, Madurai District so as to enable them to do the needful in the subject matter in issue.

5. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

VS

To

1.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

2.The Head Surveyor,
Thirumangalam Taluk,
Madurai District.

+1 cc to M/s.Polax Legal Solutions ,Advocate, Sr.No: 45541
+1cc to M/S Special Government Pleader, Sr No.45357

jam/29.08.16/SK-SKN/ 2P-5C

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