



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.15914 of 2016

S.Suriya Gandhi

... Petitioner

Vs.

1.The District Collector,
Theni, Theni District.

2.The District Revenue Officer,
Theni, Theni District.

3.The Assistant Director (Survey),
Collectorate, Theni, Theni District.

4.The Tahsildar,
Andipatti Taluk,
Theni District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the Respondents to consider Petitioner's representation, dated 17.08.2016 and consequently to survey petitioner's land by fixing the boundary of his land in Survey No.1390/5 to an extent of 60 cents and his brother Kasi is having land in Survey No.1390/2 to an extent of 2 Acres 60 cents which is situated at Sirapparai, Muthalamparai Panchayat, Andipatti Taluk, Theni District.

For Petitioner : Mr.M.Jeyaprahash

For Respondents : Mr.J.Gunaseelan Muthaiah,
Government Advocate

O R D E R

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal. No counter-affidavit is filed on behalf of the Respondents.

2. According to the Petitioner, she gave a representation in person, dated 25.05.2016 to the Respondents to survey the land and to fix the boundary. In fact, the representation was received by



the Respondents and after that, she met the Respondents and gave a complaint in person and requested them to survey the lands and fix the boundary as mentioned supra. However, the Respondents had negatived her request and till date, had not taken any effective steps to survey the land and fix the boundary in respect of the land in Survey No.1390/5 measuring an extent of 60 cents etc. In fact, the Petitioner had paid necessary fees before the Fourth Respondent/Tahsildar, Andipatti Taluk, Theni District, to survey her land. Since no action has been taken in the subject matter in issue, she has filed the present Writ Petition before this Court.

3. Inasmuch as the Petitioner's representation, dated 17.08.2016 in the subject matter in issue is pending before the Fourth Respondent, without any progress or disposal, this Court in the interest of justice and fair play, directs the Fourth Respondent/Tahsildar, Andipatti Taluk, Theni District, to look into the representation of the petitioner and to dispose of the same by passing a reasoned speaking order, within a period of six weeks from the date of receipt of a copy of this order (Of course after adhering to the Principles of Natural Justice by issuing notice to the Petitioner and others concerned if any, who are interested in the subject matter in issue). In case, the Fourth Respondent in need of any copy of relevant records/certified copy of documents, as the case may be, then, it is open to the Fourth Respondent to call for such records/documents from the possession of the Petitioner by means of issuance of memo/notice and soon after receipt of such memo/notice, it is incumbent on the part of the Petitioner to comply with the plea/request made by the Fourth Respondent without any haziness or hesitation, as expeditiously as possible, so as to enable the Fourth Respondent, to do the needful, within the time adumbrated by this Court, as stated supra. Needless for this Court to make a significant mention that the Petitioner is to render her assistance and instinted co-operation to the Fourth Respondent in the subject matter in issue.

With the above said Direction(s)/Observation(s), this Writ Petition stands disposed of. No Costs.

Sd/
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar



To

1.The District Collector,
Theni, Theni District.

2.The District Revenue Officer,
Theni, Theni District.

3.The Assistant Director(Survey),
Collectorate, Theni, Theni District.

4.The Tahsildar,
Andipatti Taluk,
Theni District.

+1 CC TO Special Government Pleader SR.No.47717

W.P (MD) No.15914 of 2016
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SMA/SS-2/01/09/2016 :3P/6C