



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2016

CORAM

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P (MD) No.16499 of 2016

N.Periyamayan

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Usilampatti Taluk,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

3.The Taluk Surveyor,
Usilampatti Taluk,
Usilampatti,
Madurai 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 3rd Respondent to survey and demarcate the punja lands comprised in patta Nos.3496, 2553 and 2695 lands situated at Poochampatti Village, Karumathur, Checkkanurani, Madurai District, considering the Petitioner's representation and chalan No.0018, dated 21.03.2016.

For Petitioner : Mr.I.Suthakaran

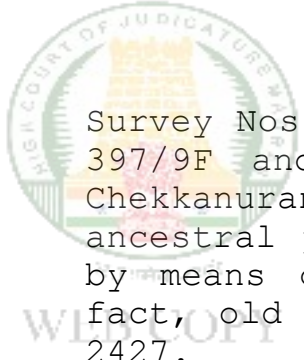
For Respondents : Mr.J.Gunaseelan Muthaiah,
Government Advocate

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.

<https://hcservices.ecourts.gov.in/hcservices/>

2. According to the Petitioner, he owned punja lands in



Survey Nos.390/4, 390/5B, 395/2D, 395/2E, 395/2G, 395/1I, 369/10A, 397/9F and 368, situated in Poochampatti Village, Karumathur, Chekkanurani, Madurai District. The lands are said to be their ancestral property and the same was allotted to him as his share by means of partition deed, dated 29.04.2006. As a matter of fact, old patta number for the aforesaid properties are 2699 and 2427.

3. The grievance of the Petitioner is that there were some wrong entries in their patta including some other persons as land owners along with them. Hence, he has preferred an appeal before the First Respondent/Revenue Divisional Officer, Usilampatti, Madurai District, for correction/rectification of the wrong entries so made. Finally, the said appeal was allowed on 28.08.2009 whereby and whereunder, a direction was issued to the Second Respondent/Tahsildar, Usilampatti Taluk, Madurai District, to restore the old patta and set aside the order passed by the Tahsildar. Based on the order passed by the First Respondent/Revenue Divisional Officer, Usilampatti, Madurai District, new patta was issued in favour of the Petitioner and his brothers after sub-dividing the old survey numbers and the new survey numbers are 3496, 2553 and 2695 respectively.

4. It comes to be known that the Petitioner had submitted a representation, dated 21.03.2016 addressed to the Third Respondent/Taluk Surveyor, Usilampatti Taluk, Madurai District, with a request to survey his lands and demarcate the same as per new patta issued. In fact, he had paid necessary fees on 21.03.2016. Since no action has been taken in the subject matter in issue, he has filed the present Writ Petition before this Court.

5. Considering the fact that the Petitioner's representation, dated 21.03.2016, in the subject matter in issue, is pending on the file of the Third Respondent/ Taluk Surveyor, Usilampatti Taluk, Madurai District, without any progress or disposal, at this stage, this Court, without expressing any opinion one way or other on the representation made by the Petitioner, in the interest of justice and fair play, directs the Third Respondent to immediately take up the representation of the Petitioner, dated 21.03.2016 and to dispose of the same by passing a reasoned speaking order on merits, within a period of four 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, if situation so warrants), within a period of two weeks thereafter. Needless for this Court to make a significant mention that the Petitioner is to render his assistance and unstinted co-operation to the Third Respondent so as to enable the latter to do needful in his favour in the subject matter in issue, within the time afore stated.



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

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/True copy/

Sd/-
Assistant Registrar(AE)

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Usilampatti Taluk,
Usilampatti,
Madurai District.

2.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

3.The Taluk Surveyor,
Usilampatti Taluk,
Usilampatti,
Madurai District.

+1 cc to M/S.I.Suthakaran, Advocate in SR.No. 49210
+1 cc to The Special Government Pleader in SR.No. 49406

pm

CSL/PV/12.09.2016: 3p/6c

W.P(MD)No.16499 of 2016
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