



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.09.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.16687 of 2016

K.Muthu

... Petitioner

Vs.

1.The District Collector,
Ramnad District.

2.The Tahsildar,
Keelakarai, Ramnad 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 2nd Respondent to measure the Petitioner's property comprised in S.No.151/3 to an extent of 8 acres 10 cents and Survey No.151/5 to an extent of 2 acres 64 cents situated at Periyappattinam Group, Muthupettai, Ramanathapuram District, on the basis of the representation of the Petitioner, dated 01.06.2016.

For Petitioner

: Mr.S.Vellaaichamy

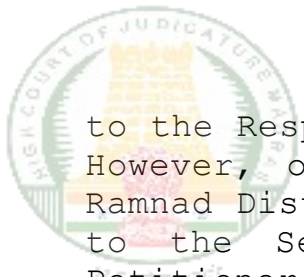
For Respondents

: 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, he purchased the property from one Mohammed Dhubaraq and Hameed, represented by their Power of Attorney, comprised in S.No.151/3 measuring an extent of 8 acres and 10 cents and S.No.151/5 measuring an extent of 2 acres and 64 cents, situated at Periyapattinam Group, Muthupettai, Ramanathapuram Taluk. He had also obtained patta bearing No.1868 issued by the Second Respondent/Tahsildar, Keelakarai, Ramnad District and thereafter, he is in possession and enjoyment of the property. As a matter of fact, he had planted coconut saplings in the said property. It appears that the Petitioner had sent a detailed representation to the Second Respondent/Tahsildar, Keelakarai, Ramnad District, wherein a request was made to measure the subject property. Since there was no reply from the Second Respondent's side, on 03.06.2016, he made another representation



to the Respondents. For which also, no suitable reply was issued. However, on 13.06.2016, the First Respondent/District Collector, Ramnad District, issued a memo stating that a direction was issued to the Second Respondent to take appropriate action on the Petitioner's representation, dated 01.06.2016. He paid necessary charges for the measurement of his property. Even then, the Second Respondent appears to have not taken any action, in the subject matter in issue.

3. Considering the fact that the Petitioner's representation, dated 01.06.2016 addressed to the Respondents-1 & 2, is pending on the file of the Respondents-1 & 2, without any significant progress or disposal, at this stage, this Court, in the interest of justice and fair play, directs the Second Respondent/Tahsildar, Keelakarai, Ramnad District, to look into the representation of the Petitioner, dated 01.06.2016 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, if situation so warrants). Needless for this Court to make a significant mention that the Petitioner is to render his assistance and unstinted co-operation to the Second 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.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Ramnad District.

2.The Tahsildar,
Keelakarai, Ramnad District.

+1cc to Mr.S.Vellaichamy, Advocate SR.No.49764
+1cc to special Government Pleader SR.No.50056

pm

sm:pv:20/09/2016:2P/5C

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