

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.26217 of 2017

H.Ravishankar

... Petitioner

vs.

1.The Collector
Office of the Collectorate
Chinna Ekkadu, Jayanagar
Thiruvallur,
Tamil Nadu - 602 001.

2.The Tahsildar
Pallipattu Taluk
Thiruvallur District
Tamil Nadu - 631 207.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to depute a Surveyor, to measure the petitioner's property in Survey Nos.212, 215, 219, 90 with their subdivisions, as reflected in Patta No.1654 which was issued to the petitioner to fix the boundaries and lay survey stones for the same within a time frame.

For Petitioner : Mr.J.Srinivasa Mohan

For Respondents : Mr.P.Senthilvel

Government Advocate for R1 & R2

O R D E R

Mr.P.Senthilvel, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

3. The petitioner seeks for a direction to the second respondent to survey and measure the property in Survey Nos.212, 215, 219 and 90 and lay survey stones.

4. The grievance of the petitioner is that even though such request was made before the second respondent as early as on 18.11.2016 by paying a sum of Rs.800/- towards such purpose by way of a challan dated 18.11.2016, the second respondent has not taken any steps so far.

5. The learned counsel appearing for the petitioner submitted that the said amount was paid only for the purpose of surveying the land and for fixing the survey stones.

6. However, as there is no copy of the application of the petitioner for surveying and measuring the property, filed before this Court, it is for the petitioner to make a fresh application or to file a copy of the application already given on 18.11.2016, before the second respondent, so as to enable him to take steps without loss of further time.

7. Accordingly, the writ petition is disposed of as follows:

(a) The petitioner shall either file a copy of the application already filed on 18.11.2016 or make a fresh application before the second respondent seeking for survey of measurement of the subject matter land and for fixing survey stones.

(b) If any further amount has to be paid, the petitioner shall pay the same accordingly.

(c) On receipt of such application, as stated supra, the second respondent shall dispose of the same, on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as to the rival claimants, if any.

(d) Such exercise shall be done by the respondents within a period of eight weeks from the date of receipt of a copy of the application as stated supra.

No costs.

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Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

mk

To

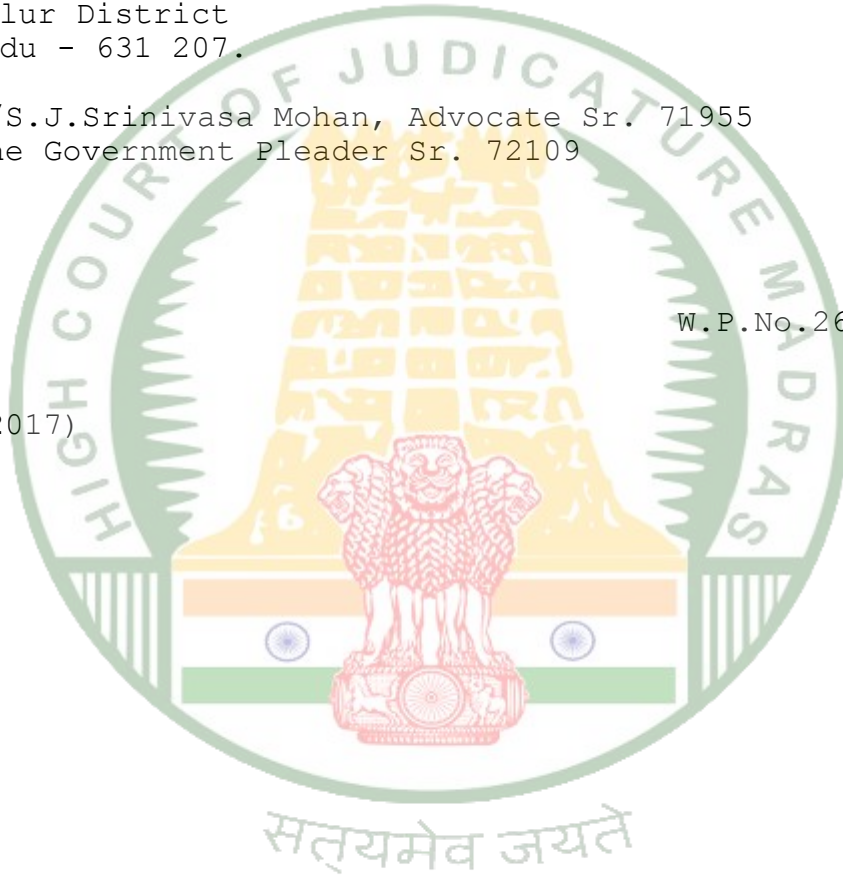
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+1cc to M/S.J.Srinivasa Mohan, Advocate Sr. 71955
+1cc to the Government Pleader Sr. 72109

W.P.No.26217 of 2017

MP (CO)
VR(12/10/2017)



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