

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.26526 of 2017

Mohamed Ilyas

... Petitioner

vs.

1. The District Collector
Nagapattinam District,
Nagapattinam.
2. The Deputy Director of Survey
O/o.The District Collector
Nagapattinam District,
Nagapattinam.
3. The Tahsildar
Tharangambadi Taluk
Porayar, Nagapattinam District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 03.05.2017 and proceedings vide reference No.Na.Ka.2969/2017/E2 dated 23.06.2017 on the file of the 3rd respondent in accordance with law within the stipulated time.

For Petitioner : Mr.K.Balaji

For Respondents : Mr.E.Balamurugan

Additional Government Pleader

O R D E R

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider his representation dated 03.05.2017, wherein and whereby he sought for re-survey of the land.

3. According to the petitioner though an enquiry was conducted by the third respondent after issuing notice to petitioner and his brother namely one Mohamed Zackaria, no final order has been passed so far.

4. The Additional Government Pleader appearing for the respondents submitted that the third respondent will pass the final order on merits and in accordance with law, within the stipulated time.

5. Whether the petitioner is entitled to the relief sought for before the third respondent to re-survey the land or not, is for the third respondent to consider and decide, based on the petitioner's request as well as the objections raised by his brother namely Mohamed Zackaria. Therefore, this Court, at this stage, is not expressing any view. At the same time, as the third respondent has not passed any final order, this writ petition is disposed of, only with a direction to the third respondent to complete the proceedings, after hearing all the necessary parties and pass the final order, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk
To

1. The District Collector
Nagapattinam District, Nagapattinam.
2. The Deputy Director of Survey
O/o. The District Collector
Nagapattinam District, Nagapattinam.
3. The Tahsildar
Tharangambadi Taluk
Porayar, Nagapattinam District.

+1cc to Mr.K.Balaji, Advocate, S.R.No.73182
+1cc to the Government Pleader, S.R.No.73720

W.P.No.26526 of 2017

CS/24/10/17