



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2017
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P(MD)No.21271 of 2014
and M.P.(MD) No.1 of 2014

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S.H.Saleem

.. Petitioner

vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Superintendent of Police,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Thirupovanam Taluk,
Sivagangai District.

4.The Inspector of Police,
Povanthi Police Station,
Sivagangai District.

5.A.Karuppiah

6.A.Sundaram

7.P.Aasaithampi

8.P.Mari

... Respondents

(R5 to R8 are impleaded vide order dated
03.01.2017 in M.P.(MD) No. 1 of 2015)

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the respondent to survey and earmark the New Survey Nos.1/1, 1/2, 2/2, 9/1, 9/2 of Poovanthi Village, Thirupovanam Taluk, Sivagangai District based on the petitioner's application dated 01.12.2014 furnished with the third respondent.

For Petitioner : Mr.C.M.Arumugam

For R1 to R4 : Mr. T.S. Mohammed Mohideen

Additional Government Pleader

For R5 to R8 : Mr.T.Lajapathi Roy

O R D E R

The petitioner seeks for a mandamus directing the third respondent to survey and earmark the new Survey Nos. 1/1, 1/2, 2/2, 9/1, 9/2 of Poovanthi Village, Thirupovanam Taluk, Sivagangai District based on the petitioner's application dated 01.12.2014.



2. The respondents 5 to 8, who got impleaded themselves in this writ petition today, are making certain objections as against the request made by the petitioner.

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3. This Court, at this stage, is not inclined to go into the rival contentions of the parties as it is for the third respondent to consider the request of the petitioner and decide the same after giving due opportunity of hearing to the respondents 5 to 8 herein and also any other interested parties.

4. Accordingly, this writ petition is disposed of by directing the third respondent to dispose of the representation of the petitioner dated 01.12.2014 and pass orders on the same on merits and in accordance with law after hearing respondents 5 to 8 herein and also other interested parties. Such exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To,

1. The District Collector, Sivagangai District, Sivagangai.
2. The Superintendent of Police, Sivagangai District, Sivagangai.
3. The Tahsildar, Thirupovanam Taluk, Sivagangai District.
4. The Inspector of Police, Povanthi Police Station, Sivagangai District.

+1cc to M/S R. Pandi Maharaja, SR.NO. 904

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER in SR.NO.458

CM

AE/MR VB/30.01.2017/2p/7c

W.P (MD) No. 21271 of 2014
and M.P. (MD) No. 1 of 2014
03.01.2017