



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Writ Appeal (MD).No.370 of 2017

A.Paulraj

... Appellant/Petitioner

Vs.

1.The Tahsildar,
Vadipatti Taluk,
Vadipatti, Madurai District.

2.The Taluk Surveyor,
Vadipatti Taluk,
Vadipatti, Madurai District.

... Respondents/Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 04.01.2017 passed in W.P.(MD).No.44 of 2017 by this Court.

Prayer in WP(MD). 44/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, to direct the Respondents to measure the property in Survey No.42/1, 42/2B, 42/3, 43/1, 43/2, 47/2 and 49 in Pommanpatti Village, Vadipatti Taluk as per the report given by the 2nd Respondent dated 17.03.2016.

For Appellant

: Mr.K.C.Ramalingam

For Respondents

: Mr.V.Muruganandam,

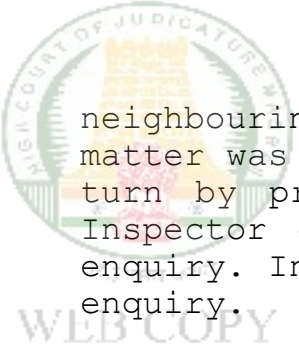
Additional Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**)

Heard the learned counsel appearing for the appellant and the learned Additional Government Pleader appearing for the respondents.

2. This appeal is directed against the order dated 04.01.2017 passed in W.P.(MD).No.44 of 2017, by which the writ petition filed by the appellant for measuring his property was dismissed with a direction to approach the civil Court. After dismissal of the writ petition, based on an application given by the appellant, the Surveyor has issued a notice to the petitioner and the neighbouring land owners by notice dated 21.02.2017. It appears that the



neighbouring land owners did not appear before the Surveyor and the matter was brought to the notice of the Tahsildar, Vadipatti, who in turn by proceedings dated 09.03.2017 and 14.03.2017 directed the Inspector of Police, Solavandan, to bring all the persons for an enquiry. In spite of such direction, the persons did not turn up for enquiry.

3. The learned counsel appearing for the appellant would submit that the subsequent event may be taken into consideration and appropriate direction may be issued.

4. Considering the fact that the local people are objecting the survey being conducted, we are not inclined to give any positive direction at this juncture and we leave it open to the first respondent/Tahsildar to proceed in accordance with law.

5. Accordingly, this Writ Appeal is dismissed leaving it open to the first respondent/Tahsildar to proceed in accordance with law. No Costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Tahsildar,
Vadipatti Taluk, Vadipatti, Madurai District.

2.The Taluk Surveyor,
Vadipatti Taluk,
Vadipatti, Madurai District.

+2 CC to M/s. , Advocate, SR No. 52037 AND 52059

+1 CC to M/s. K.C.RAMALINGAM, Advocate, SR No. 52115

PM

PSM/KP/SAR3/24.04.2017/2P/6C

Writ Appeal (MD).No.370 of 2017
12.04.2017