



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 07.06.2017
CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

WEB COPY

W.P (MD) No.10546 of 2017

K.Kudalingam

..Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Usilampatti Taluk Office,
Usilampatti Taluk,
Madurai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to survey the lands in s.F.Nos. 83/10, 83/11, 85/2A, 85/4, 85/5 and 88/3 measuring an extent of 2.88 hectares situated at Rajakkapatti Village, Manuthu Post, Usilampatti Taluk, Madurai District on the basis of the application of the Petitioner dated 4.5.2017 under Section 5 of the Tamil Nadu Survey and Boundary Act, 1923, within the time frame fixed by this Court.

For Petitioner : M/s.T.Vadivelan

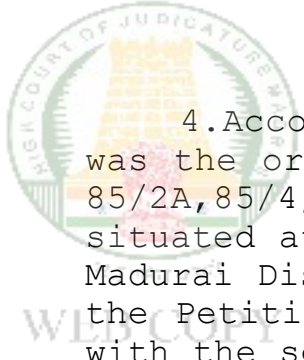
For Respondents : Mr.M.Alagathevan
Special. Govt.Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to survey the lands in S.F.No.s 83/10, 83/11, 85/2A, 85/4, 85/5 and 88/3 measuring an extent of 2.88 hectares situated at Rajakkapatti Village, Manuthu Post, Usilampatti Taluk, Madurai District on the basis of the application of the Petitioner dated 4.5.2017 under Section 5 of the Tamil Nadu Survey and Boundary Act, 1923, within the time frame fixed by this Court.

2.Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.



4. According to the Petitioner, his father Kudlinga Gounder was the original owner of the property in R.S.Nos. 83/10, 83/11, 85/2A, 85/4, 85/5 and 88/3, measuring an extent of 2.88 hectares, situated at Rajakkapatti Village, Manuthu Post, Usilampatti Taluk, Madurai District. The revenue records were standing in the name of the Petitioner's father. After his demise, the Petitioner applied with the second respondent to survey the land to fix the metes and bounds on 4.5.2017 and also paid the necessary fees. Since no action was taken, the Petitioner sent a representation to the respondents 1 and 2 on 18.5.2017. Since both the representations were not considered so far, the Petitioner has filed the present Writ Petition for the relief stated supra.

5. Considering the facts and circumstances of the case and the submission made by the learned counsel for the petitioner, this Court directs the second respondent to consider the representations of the Petitioner, dated 4.5.2017 and 18.5.2017 on merits and in accordance with law and pass orders on the same, after giving notice to the Petitioner and other interested parties, if any, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.

2. The Tahsildar,
Usilampatti Taluk Office, Usilampatti Taluk,
Madurai District.

+1 cc to Mr. T. Vadivelan, Advocate in SR.No. 59556

+1 cc to Special Government Pleader in SR.No. 59396

vsn

AE/MR/SAR3/15.06.2017/2P/5C

W.P(MD) No. 10546 of 2017

07.06.2017