



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.06.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.10890 of 2017

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Rais Jahan Zawahir
rep. by her Power of Attorney
M.Arulsamy, Chennai-54. : Petitioner

-vs-

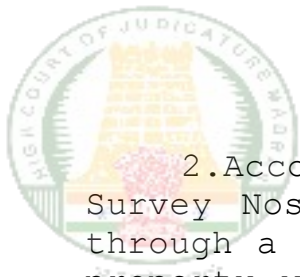
- 1.The District Collector,
Ramanathapuram District.
- 2.The Commissioner,
Ramanathapuram Municipality, Ramanathapuram.
- 3.The Tahsildar,
Ramanathapuram Taluk, Ramanathapuram District.
- 4.The Town Surveyor,
Ramanathapuram Municipality,
Ramanathapuram. : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents to consider the notice-cum-representation, dated 27.04.2017 sent by the counsel for the petitioner and consequently, survey the property in Survey No.32/31, Sivagnanapuram Hamlet of Ramanathapuram Village, Ramanathapuram Taluk, Ramanathapuram District, as per the sale deed, dated 20.02.1961 (Document No.437 of 1961) to correct the extent in the town survey records.

For Petitioner : Mr.J.Barathan
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

This writ petition is filed for issuance of a Writ of Mandamus, to direct the respondents to consider the notice-cum-representation, dated 27.04.2017 sent by the counsel for the petitioner and consequently survey the property in Survey No.32/31, Sivagnanapuram Hamlet of Ramanathapuram Village, Ramanathapuram Taluk, Ramanathapuram District, as per the sale deed, dated 20.02.1961 (Document No.437 of 1961) and to correct the extent in the town survey records.



2. According to the petitioner, the property comprised in Survey Nos. 31/31 to an extent of 1 Acres 75 cents was purchased through a registered sale deed, dated 20.02.1961 and when the said property was surveyed during the town survey, the respondents had mistakenly mentioned the extent and hence, the petitioner gave a representation to survey the property as per the sale deed and to correct the mistake in the revenue records. Since no favourable order was passed, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. The learned Additional Government Pleader would submit that before filing the present writ petition, the petitioner has not submitted proper representation to the 3rd respondent and if a fresh representation is given along with the proof for payment of necessary fees, the 3rd respondent would consider the representation of the petitioner.

5. Considering the limited scope of the prayer sought for in this writ petition and also considering the submission made by the learned Additional Government Pleader, this writ petition is disposed of with a direction to the petitioner to give a fresh representation to the 3rd respondent, enclosing this order copy and other necessary documents within a period of two weeks from the date of receipt of the order copy and shall produce the receipt for payment of necessary fees to survey land. On such compliance by the petitioner, the 3rd respondent shall consider the representation of the petitioner and take action on merits and in accordance with law, within a period of six weeks therefrom. No costs.

Sd/-

Assistant Registrar

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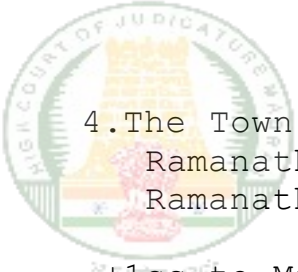
Sub Assistant Registrar

To,

1. The District Collector,
Ramanathapuram District.

2. The Commissioner,
Ramanathapuram Municipality, Ramanathapuram.

3. The Tahsildar,
Ramanathapuram Taluk, Ramanathapuram District.



4.The Town Surveyor,
Ramanathapuram Municipality,
Ramanathapuram.

+1cc to Mr.T.R.Jeyapalan,Advocate,SR.61592

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