

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.06.2017****CORAM:****THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM****W.P. (MD) No.11310 of 2017****WEB COPY**

N.Balasubramanian

...Petitioner

-Vs-

1.The Tahsildar,
Thirupparankundram Taluk,
Madurai District.

2.The District Surveyor,
Town Survey Unit,
Taluk Office Campus, Thirunagar,
Thirupparankundram Taluk,
Madurai
District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to remove the other 2 persons namely 1.Karuppiah, S/o.Chokkupillai, 2.Ponnusamy, S/o.Chinnapillai entered in the records as per the order passed by the Special Officer, Town Survey, Unit-2 dated 25.08.2003 and further direction to the 2nd respondent to survey the land in Survey No.131 in Survey ward No.XXII in Block No.3 situated at Madakulam Village, Thirupparankundram Taluk, Madurai District on the basis of the petitioner's representation dated 06.05.2017 within a time stipulated by this Court.

For Petitioner : Mr.J.Balameenakshi

For Respondents : Mr.M.Alagathevan,
Special Government Pleader**O R D E R**

The petitioner has come up with the present Writ Petition for issuance of a Writ of Mandamus, directing the 1st respondent to remove the other 2 persons namely 1.Karuppiah, S/o.Chokkupillai, 2.Ponnusamy, S/o.Chinnapillai entered in the records as per the order passed by the Special Officer, Town Survey, Unit-2 dated 25.08.2003 and further direction to the 2nd respondent to survey the land in Survey No.131 in Survey ward No.XXII in Block No.3 situated at Madakulam Village, Thirupparankundram Taluk, Madurai District on the basis of the petitioner's representation dated 06.05.2017 within a time stipulated by this Court.

2.The case of the petitioner is that his grandfather
<https://hcservices.courts.gov.in/hcservices/>
N.Balasubramanian was the original owner of the land in Survey
No.131 in Survey ward No.XXII in Block No.3 situated at Madakulam



Village, Thirupparankundram Taluk, Madurai District. He sold to an extent of East-West 22 feet out of 30 feet and North-South 27 feet to one Chokkupillai. The reminding land to an extent 7 feet East-West and 3 feet North-South in the property was inherited by the petitioner after demise of his father Neelmegampillai.

3.The petitioner would further submit that while resurveying the house sites in that area, by mistake adjacent land owners name was wrongly included. Hence, the petitioner made a representation to the Assistant Director of land Survey, Madurai to rectify the mistake and it is forwarded to the Special Officer. He also passed favourable orders on 25.08.2003 thereby, removing the name of 2 persons. Thereafter, the petitioner approached the 1st respondent and requested to rectify the record as per the order passed by the Special Officer. Since no steps were taken, the petitioner submitted a representation on 06.05.2017 to the first respondent sought for favourable order.

3.Heard both sides and perused the materials available on record.

4.Considering the limited prayer sought in the Writ Petition, this Court without going to the merits of the case, directs the first respondent to consider the petitioner's representation dated 06.05.2017 and pass orders on merits and in accordance with law after providing necessary opportunity to the parties, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(C.S.)

To

- 1.The Tahsildar,
Thirupparankundram Taluk, Madurai District.
- 2.The District Surveyor,
Town Survey Unit,
Taluk Office Campus, Thirunagar,
Thirupparankundram Taluk, Madurai District.

+1cc to M/S.J.BALAMEENAKSHI, Advocate SR.No.61096
+1cc to Special Government Pleader, SR.No. 61178

gns/smi

MAS/KP/SAR2:07.07.2017:2P-5C

W.P. (MD) No.11310 of 2017
20.06.2017