



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.11957 of 2017

WEB COPY

Madasamy, S/o.Sami Thevar

.. Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

3.The Taluk Surveyor,
Kodaikanal Taluk,
Dindigul District.

4.Sathiyamoorthy, S/o.Bhagavathirajan

5.Thangavel, S/o.Bhagavathirajan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to survey the land in S.F.No.839/2, situated at Poondi Village, Kodaikanal, Dindigul District, by considering the representation of the petitioner, dated 08.05.2017, within a stipulated time to be fixed by this Court.

For Petitioner

: Mr.S.Gokulraj

For R1 to R3

: Mr.M.Alagathevan

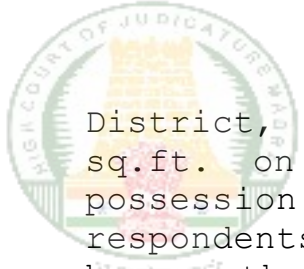
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to survey the land in S.F.No.839/2, situated at Poondi Village, Kodaikanal, Dindigul District, by considering the representation of the petitioner, dated 08.05.2017, within a stipulated time to be fixed by this Court.

2.Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents 1 to 3. By consent, the Writ Petition is taken up for final disposal.

3.According to the petitioner, he purchased the house property from respondent herein in S.F.No.839/2, to an extent of 3 cents, situated at Poondi Village, Kodaikanal, Dindigul



District, on 15.12.1999 and also purchased another extent of 720 sq.ft. on 31.12.2004. Since then, he has been in peaceful possession and enjoyment of the said property. While so, the respondents 4 and 5 attempted to interfere with his possession and hence, the petitioner made a representation to the respondents 1 to 3 on 08.05.2017 to survey his land. The petitioner would further state that the first respondent through his Communication dated 22.05.2017, directed the second respondent to initiate action on the representation of the petitioner. Despite the same, no order was passed. Hence, the present Writ Petition.

4.The learned counsel for the petitioner submitted that the petitioner is ready to pay necessary fees to survey his property.

5.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3.

6.Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, this Court directs the second respondent to consider the representation of the petitioner, dated 08.05.2017, after providing an opportunity to all the necessary parties, including the respondents 4 and 5 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to state that the petitioner shall pay necessary fees to survey his property.

7.Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

3.The Taluk Surveyor,
Kodaikanal Taluk,
Dindigul District.

+2 cc to Mr.S.Gokulraj, Advocate, SR.62598

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 63007

W.P.(MD)No.11957 of 2017
29.06.2017