



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2017

CORAM

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.12354 of 2017

N.E.Prakasham

... Petitioner

-VS-

1. The Tahsildar,
Taluk Office,
Devakottai Taluk,
Sivagangai District.

2. The Deputy Inspector of Surveyor
Devakottai Taluk Office,
Devakottai Taluk,
Sivagangai District.

3. Kesavamani

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents herein to survey and measure the property of the petitioner comprised in S.No.148/7 measuring 60.50 ares situated at Sirumaruthur Village, Devakottai Taluk, Sivagangai District based on the representation of the petitioner dated 17.10.2016 within a reasonable time fixed by this Honble Court.

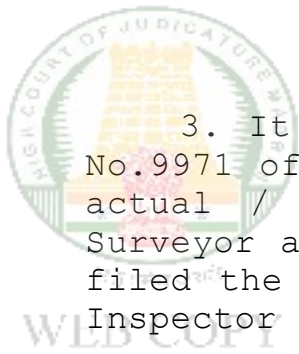
For Petitioner : Mr.V.S.Kumaraguru

For R1 & R2 : Mr.S.Kumar
Addl. Govt. Pleader

ORDER

This writ petition has been, seeking to direct the respondents herein to survey and measure the property of the petitioner comprised in S.No.148/7 measuring 60.50 ares situated at Sirumaruthur Village, Devakottai Taluk, Sivagangai District based on the representation of the petitioner dated 17.10.2016.

2. Mr.S.Kumar, learned Additional Government Pleader takes
<https://hcservices.ecourts.gov.in/hcservices/>
notice for the respondents 1 & 2.



3. It is seen that the petitioner had earlier filed W.P.(MD) No.9971 of 2014 seeking for the similar relief without adding the actual / competent authority, namely, the Deputy Inspector of Surveyor as party to the said writ petition and therefore, he has filed the present writ petition by duly incorporating the Deputy Inspector of Surveyor as the 2nd respondent in it.

4. Considering the facts and circumstances of the case, the 2nd respondent is directed to consider the representation of the petitioner dated 17.10.2016 in consonance with the earlier order dated 05.09.2014 passed by this Court in W.P.(MD) No.9971 of 2014 and after affording an opportunity of hearing to the petitioner and the 3rd respondent herein, necessary orders shall be passed thereon within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish a copy of the representation along with this order as well as the earlier order dated 05.09.2014 to the 2nd respondent. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

5. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Taluk Office,
Devakottai Taluk,
Sivagangai District.
2. The Deputy Inspector of Surveyor
Devakottai Taluk Office,
Devakottai Taluk,
Sivagangai District.

+1 cc to MR.V.S.Kumaraguru , Advocate in SR.No. 63280
+1 cc to Special Government Pleader in SR.No.63481

ar/gk

AE/JC/SAR2/06.07.2017/2P/5C