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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.15160 of 2017

A.Sebasthi .. Petitioner

Vs.

1.The Thasildar,
Ilayankudi Taluk,
Sivagangai District.

2.The Firka Surveyor,
Ilayankudi Taluk,
Ilayankudi, Sivagangai District.

3.K.Ganesan .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to survey the petitioner's punja land in Survey No.55/10B at Sathamangalam Village, Thayamangalam (Village Panchayat), Ilayankudi Taluk, Sivagangai District measuring to an extent 30 cents, by considering the petitioner's representation dated 20.07.2017.

For Petitioner : Mr.C.Prakasam

For Respondents 1 and 2 : Mr.G.Muthukannan,
Government Advocate.
R3 - Dispensed with.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 and 2 to survey the petitioner's punja land in Survey No.55/10B to an extent of 30 cents, situated at Sathamangalam Village, Thayamangalam (Village Panchayat), Ilayankudi Taluk, Sivagangai District, based on the representation of the petitioner, dated 20.07.2017.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents 1 and 2. In view of the nature of the relief sought for by the petitioner, notice to the third respondent is dispensed with.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Heard both sides.



5.The petitioner made a representation dated 20.07.2017, to the first respondent for surveying his punja land in Survey No.55/10B to an extent of 30 cents, situated at Sathamangalam Village, Thayamangalam (Village Panchayat), Ilayankudi Taluk, Sivagangai District.

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6.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 20.07.2017, is disposed of by the first respondent as per law. The learned counsel for the petitioner would also submit that there is no civil suit pending with

regard to the said land and the petitioner has already paid necessary fee for the said purpose.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 20.07.2017, and take necessary action, if necessary fee for measurement is paid by the petitioner and if found fit, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Thasildar,
Ilayankudi Taluk,
Sivagangai District.

2.The Firka Surveyor,
Ilayankudi Taluk,
Ilayankudi, Sivagangai District.

+1cc to Mr.C.PRAKASAM Advocate in SR. No.72827

SMN

JS/KP/SAR.4/28.08.2017/2P-4C