



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2017

CORAM:

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

WEB COPY

W.P (MD) No.15228 of 2017

V.Sarasu

.. Petitioner

Vs.

1. The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

2. Taluk Surveyor,
Karambakudi Taluk,
Pudukottai District.

.. 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 to measure the lands in Survey No.331/1 of an extent of 0.09.50 Hectares and Survey No.378/18C of an extent of 0.23.00 Hectares and earmark the boundaries of the land as per the patta.

For Petitioner	: Mr.M.Karthikeyavenkitachalapathy
For Respondents	: Mr.G.Muthukannan, Government Advocate.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to measure the lands in Survey Nos.331/1 and 378/18C to an extent of 0.09.50 and 0.23.00 Hectares respectively, situated at Ponnaviduthi Village, Karambakudi Taluk, Pudukottai District and earmark the four boundaries of the lands as per Patta No.924.

2.Mr.G.Muthukannan, learned Government Advocate, takes notice for the respondents.

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

4.Heard both sides.

5.The petitioner made a representation dated 27.06.2017, to the first respondent for measuring the lands in Survey Nos.331/1 and 378/18C to an extent of 0.09.50 and 0.23.00 Hectares respectively, situated at Ponnaviduthi Village, Karambakudi

Taluk, Pudukottai District.

6. The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 27.06.2017, 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 lands and the petitioner has already paid necessary fee for the same.

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 27.06.2017, 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 (AE)

/True copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Karambakudi Taluk,
Pudukottai District.

2. The Taluk Surveyor,
Karambakudi Taluk,
Pudukottai District.

+1 CC to M/s.M.KARTHIKEYAVENKITACHALAPATHY, Advocate, SR No.
72124/17.

SMN

PSM/GT/SAR1/24.08.2017/2P/4C

ORDER MADE IN
W.P (MD) No.15228 of 2017
11.08.2017