



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

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W.P.(MD)No.16279 of 2017

1. R.Thavasi

2. T.Vijaya

: Petitioners

-vs-

1. The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

2. The Head Surveyor,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

3. The Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.

4. A.Ponram

5. M.Mookkan

6. P.Lakshmanan

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to survey and fix the boundaries of the petitioner's agricultural landed properties comprised in Survey Nos.1227/2A, 4B1, 4A, 1338/3, 1239/1A, 2A and 1227/2C, 3 at Keelagudalur, Gudalur, Uthamapalayam Taluk, Theni District.

For Petitioner

: Mr.R.R.Kannan

For R1 to R3

: Mr.G.Muthukannan

Government Advocate

For 4th Respondent

: Mr.A.Saravanan

O R D E R

The prayer sought for in this writ petition is to direct the respondents 1 to 3 to survey and fix the boundaries of the petitioner's agricultural properties comprised in Survey Nos.1227/2A, 4B1, 4A, 1338/3, 1239/1A, 2A and 1227/2C & 3 at

Keelagudalur, Gudalur, Uthamapalayam Taluk, Theni District.

2. Learned counsel for the petitioner would submit that the petitioners are the absolute owners of the properties in Survey Nos. 1227/2A, 4B1, 4A, 1338/3, 1239/1A, 2A and 1227/2C & 3 at Keelagudalur, Gudalur, Uthamapalayam Taluk, Theni District. It is further submitted that the petitioner approached the first respondent and paid necessary fees to survey the properties on 17.02.2017. Since, no action was taken, a representation was given on 07.08.2017 to the 3rd respondent seeking police protection to survey the lands. Since, no favour order, the present writ petition has been filed.

3. Heard Mr. R. R. Kannan, learned counsel for the petitioner, Mr. G. Muthukannan, learned Government Advocate for the respondents 1 to 3, Mr. A. Saravanan, learned counsel for the 4th respondent and also perused the materials available on record.

4. Considering the nature of the prayer sought in this writ petition, without going into the merits of the case, this writ petition is disposed of with a direction to the respondents 1 and 2 to take appropriate action on the representation of the petitioner and pass suitable orders purely on merits and in accordance with law, within a period of twelve weeks from the date of receipt of the order copy, after providing opportunity of hearing to the petitioner as well as the necessary parties, if any. No costs.

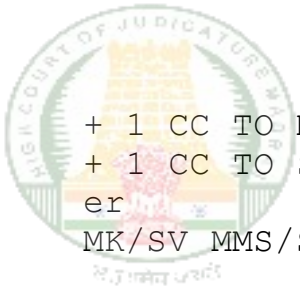
Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.
2. The Head Surveyor,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.
3. The Inspector of Police,
Gudalur North Police Station,
Theni District.



+ 1 CC TO MR.R.R.Kannan, ADVOCATE IN SR No.79455
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.79610
er
MK/SV MMS/SAR-1/27.09.2017/3P/6C

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