



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.09.2017

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE K. KALYANASUNDARAM**

W.P. (MD) No. 16598 of 2017

and

W.M.P (MD) No. 13205 of 2017

Sujatha

... Petitioner

Vs.

1. The Tahsildar,
Tiruchendur Taluk,
Tuticorin District.

2. The Taluk Surveyor,
Tiruchendur Taluk,
Tuticorin District.

3. The Block Development Officer,
Alwarthirunagari Union,
Thenthiruperai,
Tuticorin District.

4. Indra Gandhi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to measure and demarcate the property based on the sale deed executed by 4th respondent by considering the representation dated 13.07.2017 of the petitioner.

For Petitioner : Mr. S. Siva Thilakar

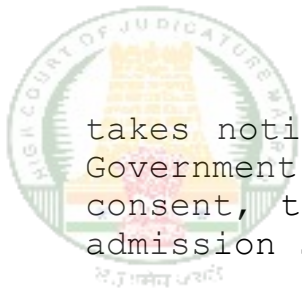
For Respondents : Mr. A. Muthukaruppan
Addl. Govt. Pleader for R1 and R2
Mr. R. Anandharaj
Govt. Advocate for R3

O R D E R

The petitioner seeks for a direction the respondents 1 and 2 to measure and demarcate the property based on the sale deed executed by 4th respondent by considering her representation dated 13.07.2017.

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

2. Mr. A. Muthukaruppan, learned Additional Government Pleader



takes notice for respondents 1 and 2 and Mr.R.Anandharaj, learned Government Advocate takes notice for third respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner would state that he purchased 11 cents of land in S.No.157/6A from the fourth respondent through a registered sale deed dated 04.09.2012. Subsequently, mutation in the revenue records has taken place. The petitioner was also issued patta by the first respondent on 24.02.2014.

4.The petitioner would further state that she wanted put up construction, for which, a plan was also approved by the third respondent. When the petitioner initiated works to construct a house, the fourth respondent objected. Hence, the petitioner approached the respondents by way of representation dated 13.07.2017 to measure and demarcate the property. Since no action was taken, the present writ petition.

5.It is seen that the fourth respondent has filed a suit in O.S.No.107 of 2017 before the District Munsif Court, Srivaikundam for permanent injunction, in which, she admits selling of 11 cents to the petitioner.

6.In the light of the above facts, the first respondent is directed to take appropriate action on the representation of the petitioner dated 13.07.2017 on merits and in accordance and with law, after providing opportunity to all the necessary parties, within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Tahsildar,
Tiruchendur Taluk,
Tuticorin District.

2.The Taluk Surveyor,
Tiruchendur Taluk,
Tuticorin District.



3.The Block Development Officer,
Alwarthirunagari Union,
Thenthiruperai,
Tuticorin District.

WEB COPY

+1cc to Mr.S.SIVA THILAKAR, Advocate, SR.76259

W.P. (MD) No.16598 of 2017

and

W.M.P (MD) No.13205 of 2017

04.09.2017

skn

KK/SKN RSK/SAR3/05.09.2017/3P-5C