



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.16894 of 2017

Athinamilagi @ Athiramilagi

... Petitioner

Vs.

1.The District Collector
Madurai District,
Madurai.

2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Taluk Surveyor,
Melur Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to carryout survey and demarcate the boundaries of the petitioner's land in S.Nos.511/13 situated at Malampatti Village-Pappakudipatti, Melur Taluk, Madurai District and issue patta in Petitioner favour, within a stipulated time as that may be fixed by this Hon'ble Court on considering the petitioner's representation dated 07.08.2017.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.C.Selvaraj,
Special Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the respondents to conduct the survey on the basis of the representation of the petitioner dated 07.08.2017.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of the property



in question and as such, he has submitted an application dated 07.08.2017 for measurement and survey of the property. Since the said application has not been considered so far, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matters, directs the second respondent to consider the application/representation of the petitioner dated 07.08.2017 and pass suitable orders regarding measurement of the property on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any of the interested parties.

5. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector
Madurai District,
Madurai.

2. The Tahsildar,
Melur Taluk,
Madurai District.

3. The Taluk Surveyor,
Melur Taluk,
Madurai District.

+1cc to Mr. R. VENKATESAN Advocate in SR. No. 77081

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 77636

RM/AR

JS/KK/SAR.2/18.09.2017/2P-6C

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07.09.2017