



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.16964 of 2017

K.Bose

... Petitioner

Vs.

1.The Tahsildar,
Madurai South Taluk,
Madurai District.

2.The Land Surveyor,
Tahsildar Office,
Madurai South 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 survey the petitioner's land measuring an extent of 0.05.22 Ares i.e., 13 Cents in Survey No.57/9 situated at Viragagnoor Village, Madurai South Taluk, Madurai South Registration District, Madurai District and demarcate the same by laying survey stone after giving opportunity to the neighbours and all the party concerned by considering the petitioner's representation dated 17.07.2017.

For Petitioner : Mr.R.Srinivasan

For Respondents : Mr.G.Muthukannan
Government Advocate

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 17.07.2017.

2. Heard the learned counsel for the petitioner and the Government Advocate 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 17.07.2017 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 first respondent to consider the application/representation of the petitioner dated 17.07.2017 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(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To:

1.The Tahsildar,
Madurai South Taluk,
Madurai District.

2.The Land Surveyor,
Tahsildar Office,
Madurai South Taluk,
Madurai District.

+One cc to The Special Government Pleader, SR.No.77643

rm/ar
RL/4C/2P/JC/SAR1/20/9/2017

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