



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17286 of 2017

Nachan @ Gandhi

... Petitioner

-vs-

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Natham,
Dindigul District.

3. P.Chinnathambi

4. M.Selvam

5. M.Chinnu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to survey the petitioner's property comprised in Survey No.853/10 situated at Poosaripatti, Sirugudi Village, Natham, Dindigul District, on the basis of the petitioner's representation dated 27.02.2017.

For Petitioner : Mr.P.Rajagopalan
For R1 & R2 : Mr.C.Selvaraj,
Special Government Pleader

O R D E R

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the second respondent to survey the petitioner's property comprised in Survey No.853/10 situated at Poosaripatti, Sirugudi Village, Natham, Dindigul District, on the basis of the petitioner's representation dated 27.02.2017.

2.Mr.C.Selvaraj, Special Government Pleader takes notice for respondents 1 and 2. By consent, this writ petition is taken up for final disposal at the admission stage itself.



3.The petitioner would state that the property in Survey No.853/10 situated at Poosaripatti, Sirugudi Village, Natham, Dindigul District is an ancestral property. The petitioner and the respondents 3 and 5 have been issued joint patta in patta No.1447.

4.The petitioner would further state that he made a representation to the second respondent on 27.02.2017 after paying necessary fees to survey the property and fix the boundaries. But it was kept pending by saying that the petitioner is a joint pattadhars.

5.According to the learned counsel for the petitioner, even the joint pattadhars are entitled to survey the property.

6.In view of the above facts, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the petitioner dated 27.02.2017 and take appropriate action on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of four months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (Wrts)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Tahsildar,
Natham,
Dindigul District.

+ 1 CC TO Mr.P.RAJAGOPALAN, ADVOCATE IN SR No. 78711
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78837

SKN
TE/JC/SAR-II : 04/10/2017 : 2P/5C