



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.17294 of 2017

Seenidurai

.. Petitioner

-Vs-

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Taluk Office,
Thiruchendur Taluk,
Thiruchendur,
Thoothukudi

District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's petition, dated 23.12.2015 to survey the land in Survey No.458/17 in Chinnamadan Kudiyiruppu Village, Karippankulam (Post), Nasrath (Via), Thiruchendur Taluk, Thoothukudi District and to laid four boundary stone, within a time frame.

For Petitioner

: Mr.P.M.Vishnu Varthanan

For Respondents

: Mr.G.Muthukannan
Government Advocate

O R D E R

The writ petition has been filed to direct the respondents to consider the petitioner's petition, dated 23.12.2015 to survey the land in Survey No.458/17 at Chinnamadan Kudiyiruppu Village, Karippankulam (Post), Nasrath (Via), Thiruchendur Taluk, Thoothukudi District and to lay four boundary stones within a time frame.

2.The case of the petitioner is that his wife Rajaboopathy purchased lands in Survey No.458/17 through a registered sale deed, dated 19.02.2006. Since then, they are in exclusive possession and enjoyment of the same. It is further stated that mutation in the revenue records had taken place and patta bearing



No.148 was also issued in his wife name and thereafter, the petitioner made a representation to survey the property and to fix four boundaries. Since, no action was taken, the present writ petition.

3.Mr.G.Muthukannan, learned Government Advocate would submit that even as per the affidavit, the petitioner is not the owner of the property, but it is owned by his wife Rajaboopathy. So far no representation has been received from the original owner of the property.

4.Mr.P.M.Vishnuvarthanan, learned counsel for the petitioner would submit that the petitioner and his wife are living together.

5.In view of the above facts, this court hereby directs the owner of the property namely Rajaboopathy to give a representation along with necessary documents to the 2nd respondent, by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the 2nd respondent shall take appropriate action on the representation made by the owner of the property, on merits and in accordance with law, after providing opportunity of hearing to the parties concerned within a period of three months therefrom.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To,

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Taluk Office,
Thiruchendur Taluk,
Thiruchendur, Thoothukudi District.

+One cc to The Special Government Pleader, SR.No.81086
er
RL/4C/2P/JC/SAR2/20/10/2017

W.P. (MD) No.17294 of 2017