



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :06.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.18553 of 2017

WEB COPY

H.N.Jaffer Ali

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Vilathikulam,
Thoothukudi District.

2.The Tahsildar,
Vilathikulam,
Thoothukudi District.

3.The Taluk Deputy Surveyor,
Vilathikulam,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to survey the petitioner's land in S.No.31A/3A1E1, Vilathikulam Village, Vilathikulam post, Thoothukodi district by considering the representation dated 20.09.2016.

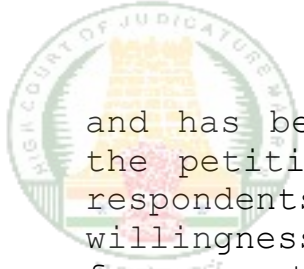
For Petitioner	: Mr.M.S.Johnny Basha
For Respondents	: Mr.J.Gunaseelan Muthiah Government Advocate

ORDER

This writ petition has been filed, seeking a writ of Mandamus, directing the respondents to survey the petitioner's land in S.No.31A/3A1E1, Vilathikulam Village, Vilathikulam post, Thoothukodi district by considering the representation dated 20.09.2016.

2. Heard the learned counsel for the petitioner and the learned 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 learned counsel for the petitioner would submit that there is neither civil suit nor rival claim whatsoever pending in respect of the property in question. The father of the petitioner purchased the subject mentioned property, in the name of his minor sons including the petitioner, through a registered sale deed, dated 18.06.1979. The petitioner's brothers have executed a ~~sale deed~~ dated 07.04.2014, in favour of the petitioner and hence the petitioner has become the absolute owner of the property



and has been in possession and enjoyment of the same. While so, the petitioner by representation dated 20.09.2016, requested the respondents to survey the petitioner's land and expressed his willingness also to pay the charges towards the same. However, so far no action has been taken on the petitioner's representation, having no other alternative remedy, the petitioner has come before this Court, by filing this writ petition.

4.Mr.Gunaseelan Muthiah, the learned Government Advocate, takes notice for the respondents and would submit that the representation of the petitioner would be considered in accordance with law within the time stipulated by this Court.

5.Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 29.09.2016 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

TO

1.The Revenue Divisional Officer,
Vilathikulam,
Thoothukudi District.

2.The Tahsildar,
Vilathikulam,
Thoothukudi District.

3.The Taluk Deputy Surveyor,
Vilathikulam,
Thoothukudi District.

+1cc to Mr.S.M.S.JOHNNY BASHA,Advocate,SR.81860

+1cc to M/S.Special Government Pleader,SR.82132

W.P(MD)No.18553 of 2017
06.10.2017