



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.20538 of 2017

T.Selvasekaran

... Petitioner

Vs.

1.The District Collector
Office of District Collector,
Thoothukudi District.

2.The Deputy Director (Land Survey)
Office of District Collector,
District Land Survey Department,
Thoothukudi District.

3.The Tahsildar,
Taluk Office,
Ottapidaram,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider the Petitioner's representation dated 12.08.2017 seeking survey and measurement of the metes and bounds of his property in survey number 321/7 at Vaepalodai Village, Thoothukudi District at an extent of 50 cents.

For Petitioner : Mr.B.N.Raja Mohamed

For R.1 to R.3 : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the third respondent to conduct the survey on the basis of the representation of the petitioner dated 12.08.2017.

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 12.08.2017 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 third respondent to consider the application/representation of the petitioner dated 12.08.2017, on payment of necessary charges, if not already paid 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 as well as other interested parties, if any.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector
Office of District Collector,
Thoothukudi District.
- 2.The Deputy Director (Land Survey)
Office of District Collector,
District Land Survey Department,
Thoothukudi District.
- 3.The Tahsildar,
Taluk Office,
Ottapidaram,
Thoothukudi District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86545
+1cc to Mr.B.N.RAJA MOHAMED Advocate in SR. No. 86045

RM

JS/KP/SAR.1/17.11.2017/2P-6C

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