



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM

WEB COPY

THE HONOURABLE **MR.JUSTICE R.MAHADEVEN**

W.P. (MD) .No.20602 of 2017

K.Krishnasamy

...Petitioner

Vs.

1.The Tahsildar,
Tahsildar Office Campus,
Sivakasi, Sivakasi Taluk,
Virudhunagar District.

2.The Head Surveyor,
Tahsildar Office Campus,
Sivakasi, Sivakasi Taluk,
Virudhunagar District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to survey and mark the boundaries of the petitioner's land in Survey Number: 960/1A13A and Survey Number: 964/2A1C Enjar Village, Saminatham Panchayat, Sivakasi Taluk, Virudhunagar, based on the application dated 30.10.2017 and the subsequent representation dated 01.11.2017 within a time stipulated that may be fixed by this Court.

For Petitioner

:Mr.R.Karunanidhi

For Respondents

:Mr.M.Alagathevan,
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Heard the learned Counsel appearing for the petitioner and Mr.M.Alagathevan, learned Special Government Pleader, who takes notice for the respondents.

3. The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of his property in Survey Nos. 960/1A13A & 964/2A1C, Enjar Village, Saminatham Panchayat, Sivakasi Taluk, Virudhunagar, and as such, he has submitted an application dated 30.10.2017 followed by a representation dated 01.11.2017, for measurement of the property. Since the same has not been considered so far, the petitioner is before this Court with the above prayer.



4. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 01.11.2017 and pass appropriate orders regarding measurement of the property, on its own merit 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 eight weeks from the date of receipt of a copy of this order, on payment of necessary fee, if not already paid.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Tahsildar Office Campus,
Sivakasi, Sivakasi Taluk,
Virudhunagar District.

2. The Head Surveyor,
Tahsildar Office Campus,
Sivakasi, Sivakasi Taluk,
Virudhunagar District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86586

+1cc to M/s. R.KARUNANIDHI Advocate in SR. No. 86077

GK

JS/MR.KKR/SAR.1/21.11.2017/2P-5C

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