



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2017

CORAM:

THE HON'BLE Mr.JUSTICE R.MAHADEVAN

W.P(MD)No.21965 of 2017

Perumal

... Petitioner

Vs.

1.The Tahsildar,
Peraiyur Taluk,
Peraiyur,
Madurai District.

2.The Frika Surveyor,
Peraiyur Taluk,
Peraiyur,
Madurai District.

3.The Sub-Inspector of Surveyor,
(Survey Department), Peraiyur,
Peraiyur Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to survey and demark petitioner's land in an extent of 0.02.5 and 6 cents in Survey No.1107/7 A1 and an extent of 0.47.5 in Survey No.107/7A2 in Poosalapuram Village, Peraiyur Taluk, Madurai District as per application No.2017/0105/24/028411 of the third respondent herein and issue a separate patta by considering the petitioner's representation dated 14.11.2017 in accordance with law.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mr.M.Alagathevan,
Special Government Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent herein to survey and demark petitioner's land in an extent of 0.02.5 and 6 cents in Survey No.1107/7 A1 and an extent of 0.47.5 in Survey No.107/7A2 in Poosalapuram Village, Peraiyur Taluk, Madurai District as per application No.2017/0105/24/028411 of the third respondent herein and issue a separate patta by considering the petitioner's representation dated 14.11.2017 in accordance with law.



2. Heard both sides.

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

4. The learned counsel for the petitioner would submit that neither civil suit nor rival claim whatsoever is pending in respect of the property in question. The petitioner in order to survey and mark the boundaries of the aforementioned property, sent several representations to the third respondent and has also paid necessary charges toward the same. However, no action has been taken by the respondents. Hence, the petitioner is before this Court.

5. The learned Special Government Pleader appearing for the respondents would submit that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

6. 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 petitioner's representation dated 14.11.2017 and pass appropriate orders, on 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.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Peraiyur Taluk,
Peraiyur, Madurai District.
2. The Frika Surveyor,
Peraiyur Taluk,
Peraiyur, Madurai District.
3. The Sub-Inspector of Surveyor,
(Survey Department), Peraiyur,
Peraiyur Taluk,
Madurai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 90534

+1cc to Mr. T. PON RAMKUMAR Advocate in SR. No. 90045

DSK

JS/SV.MMS/SAR.1/15.12.2017/2P-6C