



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22109 of 2017

P.Muniyappan

... Petitioner

-vs-

1. The Revenue Divisional Officer,
Palani Revenue Division,
Palani, Dindigul District.

2. The Thasildar,
Vedasendur Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to consider the representation of the petitioner dated 31.10.2017 to direct the 2nd respondent herein to conduct the survey based on the proceedings of the 1st respondent in Na.Ka.No.4139/2016/A1 dated 29.03.2017.

For Petitioner	: Mr.D.Selvaraj
For Respondents	: Mr.T.S.Mohamed Mohideen Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the 2nd respondent herein to conduct the survey based on the proceedings of the 1st respondent in Na.Ka.No.4139/2016/A1 dated 29.03.2017, on the basis of the representation of the petitioner dated 31.10.2017.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents. By consent on either side, the writ petition is taken up for final disposal.

3. The case of the petitioner is that though the 1st respondent, after conducting a detailed enquiry by proceedings dated 29.03.2017, directed the 2nd respondent to survey the land as per the documents available on record, the 2nd respondent has not



taken any action so far to comply with the order of the 1st respondent. Hence, the petitioner made a representation dated 31.10.2017 to conduct survey. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

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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 expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the petitioner dated 31.10.2017 and pass suitable orders regarding survey of the property in question, subject to payment of necessary fee by the petitioner, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any in the light of the proceedings of the 1st respondent dated 29.03.2017.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Revenue Divisional Officer,
Palani Revenue Division,
Palani, Dindigul District.
2. The Thasildar,
Vedasendur Taluk,
Dindigul District.

+1cc to Mr.D.Selvaraj, Advocate Sr.No.91260

+1cc to Spl.Government Pleader Sr.No.91812

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VB/JC/SAR4/20/12/2017/2P/5C

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