



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVEN

W.P. (MD) .No.22187 of 2017

Sivanthaiya

... Petitioner

Vs.

1. The Tahsildar,
Natham Taluk,
Dindigul District.

2. The Inspector of Police,
Natham Police Station,
Natham Taluk,
Dindigul District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to conduct the survey on the basis of the application of the petitioner dated 23.03.2017 with the aid of the second respondent.

For Petitioner	: Mr.T.Vadivelan
For Respondents	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader

O R D E R

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

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for the respondents.

3. According to the petitioner, the properties in S.F.No.21/1B7B, 1B11, 1B6, 1B8 and 24/2B1, 2B2 and 22/1B2, 2A and 27/3A, 28/4 are his family property and he is enjoying possession over the same. According to him, neither civil suit nor rival claim whatsoever is pending in respect of the properties in question and as such, he has submitted an application dated 23.03.2017, for measurement of the property. Since the same has not been considered so far, despite remittance of necessary fee, the petitioner is before this Court with the above prayer.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if his



application dated 23.03.2017 is disposed of by the first respondent, on merits.

5. 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 first respondent to consider the application of the petitioner dated 23.03.2017 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 other interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order, on payment of necessary fee, if not already paid.

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

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Natham Taluk,
Dindigul District.
2. The Inspector of Police,
Natham Police Station,
Natham Taluk,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 92092
+ 1 CC TO Mr.T.VADIVELAN, ADVOCATE IN SR No. 91323

GK
TE/MR-KKR/SAR-4 : 20/12/2017 : 2P/5C

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