



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.22454 of 2017

S.Ponnappan

... Petitioner

Vs.

1. The Tahsildar,
Taluk Office,
Rajapalayam,
Rajapalayam Taluk,
Virudhunagar District.

2. The District Surveyor,
Collector Office Campus,
Virudhunagar,
Virudhunagar District.

3. The Taluk Surveyor,
Rajapalayam Taluk Office,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to survey petitioner's three house sites situated in Survey No.344/33 measuring 0.3.00 ares in Patta No.280 and in Survey No.344/56 measuring 0.4.00 ares and in Survey No.344/105 measuring 0.1.00 ares in Patta No.265 situated in Chettiaripatti Village in Rajapalayam Taluk, Virudhunagar District and to fix the four boundaries for the same.

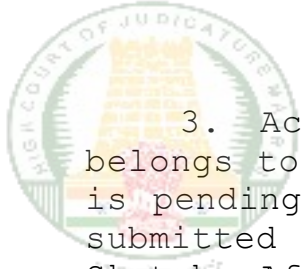
For Petitioner
For Respondents

: Mr.V.Santhakumaresan
: Mr.J.Gunaseelan Muthaiah
Government Advocate

ORDER

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

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the respondents.



3. According to the petitioner, the property in question belongs to him and neither civil suit nor rival claim, whatsoever, is pending in respect of the same, as of now and as such, he has submitted a representation before the authorities seeking Survey Sketch. After the intervention of this Court, the authorities had issued him the same on 11.08.2017 and thereafter, the petitioner has submitted a representation dated 14.11.2017, before the respondents, 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 representation dated 14.11.2017 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 respondents, more particularly, the first respondent to consider the representation of the petitioner dated 14.11.2017 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 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 (CS-I)

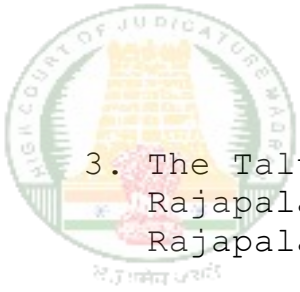
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Sub Assistant Registrar

To

1. The Tahsildar,
Taluk Office,
Rajapalayam,
Rajapalayam Taluk,
Virudhunagar District.

2. The District Surveyor,
Collector Office Campus,
Virudhunagar District.



3. The Taluk Surveyor,
Rajapalayam Taluk Office,
Rajapalayam, Virudhunagar District.

+1cc to Mr.V.Santhakumaresan, Advocate Sr.No.91859
+1cc to Spl.Government Pleader Sr.No.91944

GK

VB/JC/SAR4/20/12/2017/3P/6C

**ORDER MADE IN
W.P (MD) No.22454 of 2017
07.12.2017**