



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

C O R A M

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.22619 of 2017

Oorkavalan

... Petitioner

Vs.

1.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

2.The Firka Surveyor,
Sivagangai Taluk,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents 1 & 2 herein to conduct survey, measurement and fix boundaries with the sufficient police protection through the 3rd respondent herein within a reasonable time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Srinivasa Raghavan
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 property in question belongs to him and neither civil suit nor rival claim, whatsoever, is pending in respect of the same and as such, he has submitted a representation dated 20.09.2017, before the authorities, for measurement of the property. It is his specific case that despite a Civil Court decree came to be passed in his favour, his representation has not been considered so far and aggrieved over the same, 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 20.09.2017 is disposed of by the first respondent, on merits.

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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 20.09.2017 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 (AE)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.
- 2.The Firka Surveyor,
Sivagangai Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai.

+One cc to Mr.S.Srinivasa Raghavan, Advocate, SR.No.92621
+One cc to The Special Government Pleader, SR.No.92226

gk
RL/6C/2P/JC/SAR1/22/12/2017