



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.22983 of 2017

S.Sakthivel

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director of Survey and Land Records,
Tirunelveli District,
Survey Unit, Palayamkottai,
Tirunelveli - 2.

3.The District Land Surveyor,
Tirunelveli,
Tirunelveli District.

4.The Firka Surveyor,
O/o. Tahsildar,
Nanguneri Taluk,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents No.2 to 4 to consider the petitioner's representation dated 07.05.2017 to conduct land survey for entire land in Sy.No.56/6B1 & 56/6B2 in Thootankudi Village, Mulakarapatti, Tirunelveli District SRO, as per the registered Title Documents, within a time stipulated by this Hon'ble Court.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.M.Alagathevan
Special 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.M.Alagathevan, learned Special Government Pleader, takes notice for the respondent.



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 07.05.2017, for measurement of the property. Since the same has not been considered so far, 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 07.05.2017 is disposed of by the respondents 2 to 4, 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, respondents 2 to 4, to consider the representation of the petitioner dated 07.05.2017 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(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.The District Collector,
Tirunelveli District, Tirunelveli.
 - 2.The Assistant Director of Survey and Land Records,
Tirunelveli District,
Survey Unit, Palayamkottai, Tirunelveli - 2.
 - 3.The District Land Surveyor,
Tirunelveli, Tirunelveli District.
 - 4.The Firka Surveyor,
O/o. Tahsildar, Nanguneri Taluk, Tirunelveli District.
- +One cc to Mr.P.M.Vishnuvarthanan, Advocate, SR.No.92780
+One cc to The Special Government Pleader, SR.No.93134

gk

RL/7C/2P/KK/SAR1/4/1/2018