



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2017

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C O R A M

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.23750 of 2017

K.Micheal Udayar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Division,
Kulithalai,
Karur District.

2.The Tahsildar
Thasildar Office,
Kadavur,
Karur District.

3.The Surveyor
Pannapatty Revenue Village,
Kadavur Taluk,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to survey and mark the boundaries of the land, which is using as common pathway, situated in Survey No.225-8A, at Udayapatty Village, Pannapatty Revenue Village, Kadavur, Kulithalai Taluk, Karur District based on petitioner's representation dated 30.05.2017.

For Petitioner : Mr.C.Deepak
For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at
<https://hcservices.ecourts.gov.in/hcservices/>
the admission stage itself.



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

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3. According to the petitioner, the property in Survey Nos.225/5 & 225/6 belongs to him and Survey No.225/8A is used as a pathway for his land. For the said Survey No.225/8A, a joint patta was issued in the name of the petitioner and his brothers. Because of some disputes aroused between the brothers, civil suits came to be filed and after some rounds of litigation, according to the petitioner, his claim that the Survey No.225/8A is used as a common pathway, got upheld, in A.S.No.35/2012. Pursuant thereto, the petitioner has submitted a several representations before the respondents, for measuring as well as demarcating the property in Survey No.225/8A, which, according to him, are either forwarded or kept pending, without any action, despite payment of necessary fee. Aggrieved over the same, he is before this Court.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if his latest representation dated 30.05.2017 is disposed of by the second 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 second respondent, to consider the representation of the petitioner dated 30.05.2017 and pass appropriate orders, 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, keeping in mind the orders passed in the civil suits referred to above.



6. With the above direction, this Writ Petition is disposed of.

No costs.

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Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
Revenue Division,
Kulithalai,
Karur District.

2.The Tahsildar
Thasildar Office,
Kadavur,
Karur District.

3.The Surveyor
Pannapatty Revenue Village,
Kadavur Taluk,
Karur District.

+1cc to M/S.C.DEEPAK, Advocate SR.No.94125.

+1cc to Special Government Pleader in SR.No.94788.

W.P. (MD) No.23750 of 2017
21.12.2017

gk

SDS/SKN:RSK/SAR 3/05.01.2018/3P/6C