



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.03.2017

CORAM :

THE HONOURABLE JUSTICE V.PARTHIBAN

W.P. (MD) .No.4591 of 2017

Suresh

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Trichy District.

2. The Tahsildar,
Musiri Taluk,
Trichy District.

.... Respondents

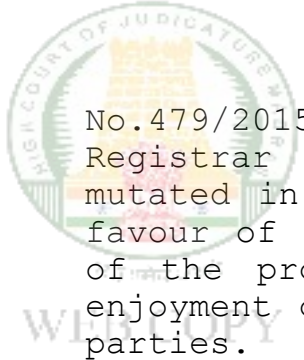
Prayer: The writ petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the second respondent herein to survey and measure the petitioner's property comprised in Survey No.361/37, Old Survey No.437/1A measuring an extent of 165 sq.ft. situated at Rowther Street, Musiri West on the basis of petitioner's representation dated 24.10.2016 within the stipulated time.

For Petitioner	: Mr.S.Sathya Chidambaram
For Respondents	: Mr.M.Alaga Thevan Special Government Pleader

O R D E R

The petitioner has approached this Court seeking for a direction to the second respondent to survey and measure the petitioner's property comprised in Survey No.361/37, Old Survey No.437/1A measuring an extent of 165 sq.ft. situated at Rowther Street, Musiri West, on the basis of petitioner's representation, dated 24.10.2016.

2. According to the petitioner, he is the owner of the property comprised in Survey No.361/37 Old Survey No.437/1A measuring an extent of 165 sq.ft. situated at Rowther Street, Musiri West. One Mr.Sundararajan has filed a suit in O.S.No.229 of 1995 seeking for declaration as if the property belongs to him before the District Munsif. However, the same is dismissed on 24.03.2004. As against the dismissal of the suit, an appeal was filed in A.S.No.241 of 2005 before the District and Sessions Judge, Trichy. But however, the said appeal was also dismissed by an order dated 24.09.2012. The petitioner herein has purchased the said property from the defendants in the above suit for a valid consideration in Document



No.479/2015, dated 20.02.2015, which was registered in the Sub Registrar Office at Madurai and the revenue records were also mutated in favour of the petitioner and Patta was also granted in favour of the petitioner in Patta No.1557. Ever since the purchase of the property / the petitioner is in peaceful possession and enjoyment of the said property without any interference from third parties.

3. In the above circumstances, in order to prevent any third party interest upon the property belonging to the petitioner, he has submitted a representation and paid necessary fee on 24.10.2016 for measuring the subject property and earmark the boundaries by duly surveying the same. It appears that the first respondent also forwarded the representation to the second respondent, but the same having not been disposed of till date. Therefore, the petitioner is before this Court seeking for a direction to the second respondent to survey and measure the petitioner's property

4. Since the relief sought for by the petitioner in this writ petition is limited scope and considering the same, the following direction is issued:

The second respondent is directed to dispose of the representation said to have been made by the petitioner on 24.10.2016 and survey the subject property and earmark the boundaries in the same within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Trichy District.
2. The Tahsildar,
Musiri Taluk,
Trichy District.

+ 1 CC TO Mr.S.SATHYA CHIDAMBARAM, ADVOCATE IN SR No. 15860
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 16190

AKV/PSD

TE/SKN-SAR-IV : 19/04/2017 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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