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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2017

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.4721 of 2017
W.M.P.(MD) No.3778 of 2017

1.C.Arunachalam
2.G.Meenakshi ..Petitioners

Vs

1.The District Collector,
Thoothukudi District.
2.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.
3.The Town Surveyor,
Thoothukudi Taluk,
Thoothukudi District.
4.J.Jeba Chandran
5.J.Roselind ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the proceedings of the Impugned Order in TR:2016/28/01/000007SD dated 17.06.2016 on the file of the 2nd Respondent and quash the same.

For Petitioner :Mr.G.Prabhu Rajadurai
For Respondents 1 to 3 :Mr.A.Muthukaruppan
Additional Government Pleader
For Respondents 4 & 5 :Mrs.N.Krishnaveni
Senior Counsel for Mr.P.Thiagarajan

ORDER

The petitioner has approached this Court seeking quashment of proceedings of the second respondent in TR:2016/28/01/000007SD dated 17.06.2016.

2.Heard Mr.G.Prabhu Rajadurai, the learned counsel appearing for the petitioners and Mr.A.Muthu Karuppan, the learned Additional Government Pleader appearing for the respondents 1 to 3 and Mrs.N.Krishnaveni, the learned Senior Counsel appearing for the respondents 4 and 5.

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3.According to the petitioner, without giving any notice, the authority concerned has measured the land and demarcated the boundaries.

4.After notice Mr.A.Muthukaruppan, the learned Additional Government Pleader entered appearance for respondents 1 to 3 and filed the counter affidavit of the third respondent. In paragraph 7 of the counter affidavit it is stated that the second and third respondents would undertake to measure and demarcate the property as per the sale deed dated 09.03.2016 after giving notice to the parties if this Court directs.

5.Recording the averments made in paragraph 7 of the counter affidavit of the third respondent, this Court directs the third respondent to give notice to the petitioners as well as respondents 4 and 5 and redo the exercise of demarcating the subject property within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the petitioners and respondents 4 and 5 shall cooperate with the officials concerned while carrying out the said directions.

6.With the above directions, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector, Thoothukudi District.
2.The Tahsildar,
Thoothukudi Taluk, Thoothukudi District.
3.The Town Surveyor,
Thoothukudi Taluk, Thoothukudi District.

+1 cc to Mr.G.Prabhu Rajadurai, Advocate, SR.No.53705
+1 cc to Mr.P.Thiagarajan, Advocate, SR.No.53804
+1 cc to Special Government Pleader, SR.No. 54204

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