



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.6476 of 2017

R.Pitachi

... Petitioner

Vs.

1. The District Collector,
Karur District,
Karur.

2. The Tahsildar,
Palaveduthi Village,
Kadavur Taluk,
Karur District.

3. Karuppasamy

... Respondents

[R3 is impleaded vide order dated 04.10.2017
in W.M.P (MD) No.7912/17)]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider his representation dated 11.01.2017 to survey the property in survey No.186/1, 2A at Palaveduthi village, Kadavur taluk, Karur district as per his patta and mark boundaries.

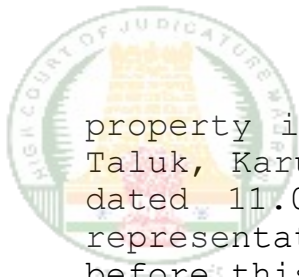
For Petitioner : Mr.P.Andiraj
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
for R.1 & R.2
Mr.K.Ashok Kumar Ram for R.3

ORDER

The petitioner seeks for a Writ of Mandamus directing the respondents 1 & 2 to survey and mark the boundaries, based on his representation dated 11.01.2017.

2. Heard the learned Counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1 & 2 and the learned Counsel appearing for the third respondent.

3. The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of his



property in Survey No. 186/1, 2A at Palaveduthi Village, Kadavur Taluk, Karur District and as such, he has submitted a representation dated 11.01.2017, for surveying his property. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

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4. 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 second respondent to consider the representation of the petitioner dated 11.01.2017 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 and the third respondent and on due perusal of the entire documentary evidences to be placed by either parties, within a period of eight weeks from the date of receipt of a copy of this order.

5. 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,
Karur District,
Karur.
2. The Tahsildar,
Palaveduthi Village,
Kadavur Taluk,
Karur District.

+ 1 CC TO Mr.P.ANDIRAJ, ADVOCATE IN SR No. 81595
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 81655

GK

TE/MR-KKR/SAR-IV : 24/10/2017 : 2P/5C

W.P. (MD) No. 6476 of 2017
04.10.2017