



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

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WEB COPY

THE HONOURABLE **MR. JUSTICE R. MAHADEVAN****W.P. (MD) .No. 7029 of 2017**

P. Gurusamy

...Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Tahsildar,
Tahsildar Office,
Kariyapatti Taluk,
Virudhunagar District.

3. The Head Surveyor,
Kariyapatti Taluk,
Virudhunagar District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to survey the petitioner's lands in survey Nos. 9/1C and 9/2C with an extent of 89 ares and 18 ares respectively at Kurandy Village, Kariyapatti Taluk, Virudhunagar District and issue Patta in his name by considering the petitioner's representation dated 03.02.2017 within a time frame stipulated by this Hon'ble Court.

For Petitioner

: Mr. R. Shankar Ganesh

For Respondents

: Mr. T. S. Mohamed Mohideen,
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Heard both sides.

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, as of now. It is the case of the petitioner that the survey numbers were wrongly mentioned in the patta issued to him, in respect of the said property and in order to rectify the same, he has made a representation dated 03.02.2017 for



survey as well as for fresh patta. It is his specific case that despite a Civil Court decree came to be passed in his favour, the respondents had not passed any orders on his representation and 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 representation dated 03.02.2017 is disposed of by the respondents, 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 to consider the representation of the petitioner dated 03.02.2017 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 for survey, if not already paid.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Tahsildar Office,
Kariyapatti Taluk,
Virudhunagar District.

3.The Head Surveyor,
Kariyapatti Taluk,
Virudhunagar District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 91460

+1cc to Mr.R.SHANKAR GANESH Advocate in SR. No. 91189

GK

JS/SKN.RSK/SAR.1/20.12.2017/2P-6C