



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.713 of 2017

WEB COPY

P.Alagappan

... Writ Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai,
Sivagangai District.
- 3.The Tahsildhar,
Devakottai Taluk,
Devakottai,
Sivagangai District.
- 4.The Inspector of Police,
Devakottai Taluk Police Station,
Devakottai,
Sivagangai District.

5.Amutha

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd Respondent to consider the petitioner's representation, dated 14.03.2016 for surveying the petitioner's patta land and affix the four boundaries through deputy surveyor and consequently directing the 4th Respondent to give adequate police protection on the same day.

For Petitioner	: Mr. R.Manickam
For R1 to R4	: Mr. A.Muthukaruppan
	(Additional Government Pleader)

O R D E R

Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents.

2. The case of the petitioner is that he is the owner of he residential house in Survey No.410/8 situated at Kannangukdi village, Devakottai Taluk, which originally belonged to his father and in whose name patta was also granted. According to the petitioner, the fifth respondent had been causing nuisance and



interference to the petitioner's property and hence, the petitioner had requested the third respondent to survey the land and fix the boundaries, through his representation, dated 14.03.2016. The petitioner had also paid necessary charges for conducting the survey on 17.03.2016 itself. In spite of the same, no survey has been conducted and hence, the present writ petition has been filed.

3. It is needless to point out that when an application has been made requesting to conduct survey and measure the property, the respondent cannot sleep over the same and is duty bound to consider the same on its own merits and pass orders.

4. Hence, there shall be a direction to the third respondent to consider the petitioner's representation, dated 14.03.2016, on its own merits and pass orders, after giving notice to the fifth respondent also. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai,
Sivagangai District.
- 3.The Tahsildhar,
Devakottai Taluk,
Devakottai,
Sivagangai District.
- 4.The Inspector of Police,
Devakottai Taluk Police Station,
Devakottai,
Sivagangai District.

+1cc to Mr.R.Manickam, Advocate Sr.No.3103

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.2791

Pm

AE/RR/BS/31.01.2017/2p/7c