



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.07.2017

CORAM:

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM
W.P(MD) No.7764 of 2017

C.Kaliya Perumal

... Petitioner

-vs-

1.The Tahsildar,
Orathanadu,
Thanjavur District.

2.The Surveyor,
Thirumangalakottai Firka,
Orathanadu Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to conduct survey, measurement and fix the boundaries of petitioner's property measuring 0.07.54 Hec., comprised in S.No.379/23 and 0.02.71 Hecs., in S.No.157C/8, situated in Okkanadu, Keezhayur, Orathanadu Taluk, Thanjavur District as per the application of the petitioner dated 26.09.2016 within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.B.Muruganandam
For Respondents : Mr.G.Muthukannan
Government Advocate

ORDER

The prayer in the writ petition is for issuance of Writ of Mandamus directing the respondents to conduct survey, measurement and fix the boundaries of the petitioner's property measuring 0.07.54 Hec., comprised in S.No.379/23 and 0.02.71 Hecs., in S.No.157C/8, situated in Okkanadu, Keezhayur in Orathanadu Taluk, Thanjavur District based on his application dated 26.09.2016.

2. The case of the petitioner is that the property referred supra originally belonged to him and his mother Thangachiammal. After the death of the petitioner's mother in the year 1992, he became the exclusive owner of the property and also in possession and enjoyment of the same.

3. The petitioner would state that he submitted an application to the first respondent on 26.09.2016 to survey and measure his property for fixing the boundaries, after paying necessary fees. It is further stated that the second respondent issued summons on 31.10.2016 to conduct survey on 12.11.2016, but on that date, no survey was conducted. Thereafter, the petitioner approached the respondents, but there is no proper reply. Hence, he filed the present Writ Petition.



4. Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the respondents.

5. Considering the limited prayer sought for in this Writ Petition, this Court, without going into the merits of the case, directs the first respondent to consider the application of the petitioner dated 26.09.2016 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after providing opportunity to all the necessary parties.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Tahsildar,
Orathanadu,
Thanjavur District.

2.The Surveyor,
Thirumangalakottai Firka,
Orathanadu Taluk,
Thanjavur District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.65302

+1cc to Mr.B.MURUGANANDAM Advocate in SR. No.65031

SSL

JS/GT/SAR.3/3.8.2017/2P-5C

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