

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.12.2017**

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.10034 of 2013**

M.Ponnan

... Petitioner

Vs.

1. The Revenue Divisional Officer
Usilampatti, Madurai District.

2. The Thasildar
Peraiyur, Madurai District.

3. Rajagili

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to survey the four boundaries of petitioner's lands 74 cents comprised in survey No. 90/1 and 30 cents comprised in S.No.90/4B in T.Kallupatti village as per the order issued by the first respondent in his proceedings in O.Mu.No. 1073/2012/A3 dated 22.02.2013.

For Petitioner : Mr.K.Sudalaiyandi

For Respondents 1 & 2 : Mr.M.Alagathevan,
Special Government Pleader

For Respondent No.3 : Mr.R.R.Kannan

ORDER

This writ petition has been filed, seeking to direct the second respondent to survey the four boundaries of the petitioner's lands, as per the order issued by the first respondent in his proceedings in O.Mu.No. 1073/2012/A3 dated 22.02.2013.

2. Heard the learned counsel on either side.

3. The case of the petitioner is that he has submitted an application dated 16.07.2012 before the second respondent for measurement and survey of the property, based on which, the first respondent vide his proceedings dated 22.02.2013, directed the second respondent to conduct the survey, by verifying the records



and submit his report within 22.02.2013 and no steps have been taken on the same. Hence, he has filed this writ petition.

4. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matters, directs the second respondent to consider the claim of the petitioner, in the light of the first respondent's proceedings dated 22.02.2013, on payment of necessary charges, if not already paid and pass suitable orders regarding measurement of the property, if not surveyed earlier, 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 affording an opportunity of hearing to the petitioner, third respondent as well as other interested parties, if any.

5. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer
Usilampatti, Madurai District.

2. The Thasildar
Peraiyur, Madurai District.

+1cc to Mr.K.Sudalaiyandi, Advocate Sr.No.91651

+1cc to Mr.R.R.Kannan, Advocate Sr.No.91780

RM

VB/MR/KKR/SAR3/22/12/2017/2P/5C

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