



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.10575 of 2013

Kathayi

... Petitioner

Vs.

1. The Tahsildar,
Manamelkudi Taluk,
Pudukottai District.

2. Mr.Rajendran,
Taluk Surveyor,
Manamelkudi Taluk,
Pudukottai District.

3. The Village Administrative Officer,
Manamelkudi Village,
Pudukkottai District.

4. Mr.Annamalai

... Respondents

(R4 impleaded as party vide Court order dated 16.07.2013 in M.P.1 of 2013)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to survey the land under Survey No.38/4C, 38/4A, 38/4B and 38/2D at Claravayal Village, Pudukottai District with the assistance of the surveyor other than the second respondent based on the representation dated 15.04.2013 within the time limit stipulated by this Court.

For Petitioner : Mr.K.R.Laxman

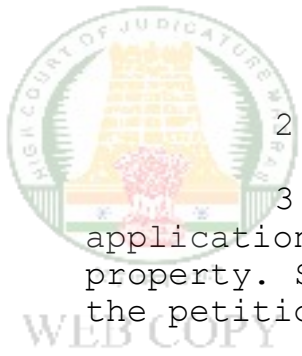
For Respondents 1 to 3 : Mr.M.Alagathevan,

Special Government Pleader

For Respondent No.4 : No appearance

ORDER

This writ petition has been filed, seeking to direct the first respondent to conduct the survey on the basis of the representation of the petitioner dated 15.04.2013.



2. Heard the learned counsel on either side.

3. The case of the petitioner is that he has submitted an application dated 15.04.2013 for measurement and survey of the property. Since the said application has not been considered so far, the petitioner is before this Court with the above prayer.

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 first respondent to consider the application/representation of the petitioner dated 15.04.2013, on payment of necessary charges, if not already paid and pass suitable orders regarding measurement of the property 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, fourth respondent as well as other interested parties, if any.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Manamelkudi Taluk,
Pudukottai District.
2. Taluk Surveyor,
Manamelkudi Taluk,
Pudukottai District.
3. The Village Administrative Officer,
Manamelkudi Village,
Pudukkottai District.

+ 1 CC TO Mr.K.R.LAXMAN, ADVOCATE IN SR No. 92319

RM

TE/GT/SAR-3 : 05/01/2018 : 2P/5C