



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.15185 of 2019

R.Sivakumar

... Petitioner

-Vs-

1.The District Collector,
Theni District.

2.The Tahsildar,
Theni Taluk,
Theni District.

3.The Commissioner,
Theni - Allinagaram Municipality,
Theni.

4.Town Surveyor,
Theni Allinagaram Municipality,
Theni.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 2 to 4 to survey and demarcate the land, measuring 29.50 cents in old S.No.192/1 in Theni Town according to the gift settlement deeds dated 04.06.2003 and 29.06.2004 and also as accordance with law by disposing the survey application dated 07.01.2019 and to issue patta for the same in favour of the petitioner.

For Petitioner : Mr.R.Suriyanarayanan
For Respondents : Mr.B.Bhagawathi, G.A. For RR1&2
Mr.Hema Karthikeyan for R3 & 4

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents 2 to 4 to survey and demarcate the land, measuring 29.50 cents in old S.No.192/1 in Theni Town according to the gift settlement deeds dated 04.06.2003 and 29.06.2004 and also in accordance with law by disposing the application dated 07.06.2019 and to issue patta for the same in favour of the petitioner.



2. Heard Mr.R.Suriyanarayanan, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents 1 and 2 and Mr.Hema Karthikeyan, learned counsel appearing for the respondent 3 and 4.

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3. With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4. The petitioner, in order to survey the land and identify the boundaries in old S.No.192/1 in Theni Town, has made a request to the respondents, especially, the 2nd respondent on 07.06.2019. The learned counsel appearing for the petitioner wants that representation of the petitioner to be considered by the 2nd respondent and orders to be passed thereon, within a time frame.

5. I have heard the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 and 4, who would submit that, the said request of the petitioner dated 07.06.2019 would be considered by the 2nd respondent within a time frame and needful would be done.

6. Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following direction:

"The 2nd respondent is directed to consider the representation of the petitioner dated 07.06.2019 regarding the survey of the land and identification of the boundaries, of course, after giving notice to the 3rd and 4th respondents and the needful shall be completed and final orders shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

/ True Copy /

Sub Assistant Registrar (CS-)

Arul

To

1. The District Collector,
Theni District.

2. The Tahsildar,

<https://hcservices.ecourts.gov.in/hcservices/>
Theni Taluk, Theni District.



+1 CC to M/s.R.SURIYANARAYANAN, Advocate

(SR-73632[F] dated 05/07/2019)

+1 CC to M/s.SPL GP (SR-73938[F] dated 08/07/2019)

+1 CC to M/s.K.HEMAKARTHIKEYAN, Advocate

(SR-74067[F] dated 08/07/2019)

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Order made in
W.P. (MD) No.15185 of 2019
Dated: **05.07.2019**

ES/19.07.2019/3P/6C