



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.15220 of 2019

WEB COPY

D.Subburaj

... Petitioner

-Vs-

1.The Collector,
Theni District,
Theni.

2.The District Surveyor,
Theni District,
Theni.

3.The Tahsildar,
Andipatti Taluk,
Andipatti,
Theni District.

4.The Taluk Surveyor,
Andipatti Taluk,
Andipatti,
Theni District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd and 4th respondents to conduct a proper land survey and subdivide petitioner's properties comprised in Survey No.54/2 situated at Adaikkampatti, Vallalnathi Village, Andipatti Taluk, Theni District and consequently direct the 3rd respondent to issue separate patta on it, on the basis of the petitioner's application dated 01.10.2018.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.B.Bhagawathi, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 2nd and 4th respondents to conduct a proper land survey and subdivide petitioner's properties comprised in Survey No.54/2 situated at Adaikkampatti, Vallalnathi Village, Andipatti Taluk, Theni District and consequently direct the 3rd respondent to issue separate patta on it, on the basis of the petitioner's application dated 01.10.2018.



2. Heard Mr.T.Indrachithu, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents.

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 situated in Survey No.54/2 at Adaikkampatti, Vallalnathi Village, Andipatti Taluk, Theni District and to identify the boundaries for issuance of separate patta, made application to the 3rd respondent on 01.10.2018 and necessary fee also has been paid and acknowledgement has also been given by the 3rd respondent. All that the learned counsel appearing for the petitioner wants that, let the application of the petitioner be considered by the 3rd respondent and a final order to be passed thereon, within a time frame.

5. I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said application of the petitioner would be considered by the 3rd respondent, within a time frame, and needful would be done, after hearing the rival claimants, if any.

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 3rd respondent is directed to consider the application of the petitioner dated 01.10.2018 and do the needful and pass orders thereon, after ascertaining the views of the rival claimants, if any and the final order 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

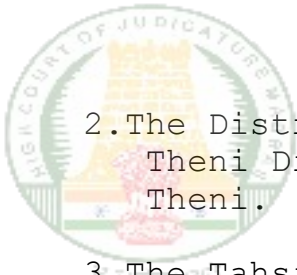
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Sub Assistant Registrar (CS-)

Arul

To

1. The Collector,
Theni District,
Theni.



2.The District Surveyor,
Theni District,
Theni.

3.The Tahsildar,
Andipatti Taluk,
Andipatti,
Theni District.

4.The Taluk Surveyor,
Andipatti Taluk,
Andipatti,
Theni District.

+1 CC to M/s.SPL GP (SR-73958[F] dated 08/07/2019)

Order made in
W.P. (MD) No.15220 of 2019
Dated: 05.07.2019

ES/19.07.2019/3P/6C