

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.07.2019****CORAM****THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

WEB COPY

W.P. (MD) No.16277 of 2019

R.Shanmuganathan

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
Madurai District, Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai.

3.The Land Surveyor,
Samayanallur Circle,
Madurai North,
Madurai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to survey and demarcate the property in R.S.No.25/5 and Old Survey No.148/5 (new patta No.557) to the extent of 46 cents situated at Thodaneri, Madurai North Taluk, Cholvanthan Sub Division.

For Petitioners : Mr.T.Palanisamy

For Respondents : Mr.C.M.Mari Chelliah Prabhu, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to survey and demarcate the property in R.S.No.25/5 and Old Survey No.148/5 (new patta No.557) to the extent of 46 cents situated at Thodaneri, Madurai North Taluk, Cholvanthan Sub Division.

2.Heard Mr.T.Palanisamy, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.The petitioner, in order to survey and demarcate the land in R.S.No.25/5 and Old Survey No.148/5 (new patta No.557) to the extent of 46 cents situated at Thodaneri, Madurai North Taluk, Cholvanthan Sub Division and to identify the four boundaries, had given representation dated 24.05.2019 to the respondents. Hence, the learned counsel appearing for the petitioner would submit that, if the said representation is decided by the respondents within a time frame, on merits, the petitioner would be satisfied.



4.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, even though the representation was given to the 1st respondent and a copy was marked to the respondents 2 and 3, the competent authority to decide the application is the 2nd respondent, who would consider the same and pass final order within a time frame to be stipulated by this Court.

5.Considering the limited prayer sought for in this writ petition, with the consent of both sides, this writ petition is disposed of, at the admission stage itself, with the following direction:

"The 2nd respondent is hereby directed to consider the representation of the petitioner dated 24.05.2019 and dispose of the same, on merits and in accordance with law, by doing the needful, of course, after hearing the petitioner as well as the rival claimants, if any, in the presence of the petitioner as well as the rival claimants/neighbouring land owners and final order shall be passed thereon, within a period of six weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Revenue Divisional Officer,
Madurai District, Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai.

3.The Land Surveyor,
Samayanallur Circle,
Madurai North,
Madurai.

+1 CC to Mr.T.PALANISAMY, Advocate (SR-77080[F] dated 24/07/2019)
+1 CC to M/s.SPL GP (SR-77291[F] dated 24/07/2019)

Order made in
W.P. (MD) Nos.16277 of 2019
Dated:23.07.2019