



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16598 of 2019

1.B.Subramaniam
2.R.Venkatraman

... Petitioners

-Vs-

1.The Assistant Director,
Land Survey Department ,
Dindigul District, Dindigul.

2.The Inspector of Survey,
Dindigul Division,
Dindigul.

3.The Tahsildar,
Dindigul East Taluk Office,
Dindigul District.

4.The Deputy Superintendent of Police,
Vedasandur,
Dindigul District.

5.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai,
Vedasanthur Taluk,
Dindigul District.

6. Chinnadurai
7. Murugan
8. Gopal
9. Saravanan
10. Veerammal
11. Palaniyammal
12. Kopayeeammal
13. Balakrishnan
14. Murugesan

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the first and second respondents to measure and install the stone in the petitioners property with regard to S.No.519/6, 519/7, 519/8, 519/9 and 519/10



situated at Periyakottai Village, Dindigul East Taluk, Dindigul District and further direct the fourth and fifth respondent herein to give adequate of police protection to measure their property based on the petitioner's representation dated 31.05.2019.

WEB COPY

For Petitioner : Mr.G.Gomathi Sankar

For R1 to R5 : Mr.C.M.Mari Chelliah Prabhu, AGP,

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the first and second respondents to measure and install the stone in the petitioners' property with regard to S.No.519/6, 519/7, 519/8, 519/9 and 519/10 situated at Periyakottai Village, Dindigul East Taluk, Dindigul District and further direct the fourth and fifth respondent herein to give adequate of police protection to measure our property based on the petitioners' representation dated 31.05.2019.

2.Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioners and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 to 5. Since no adverse order is going to be passed against the respondents 6 to 14, notice to them is dispensed with.

3.The petitioners, in order to measure the property and identify the four boundaries in respect of the land in S.No.519/6, 519/7, 519/8, 519/9 and 519/10 situated at Periyakottai Village, Dindigul East Taluk, Dindigul District, have made a request to the respondents, especially, the 1st respondent on 31.05.2019 and since the said representation is pending before the 1st respondent, the learned counsel for the petitioners seeks indulgence of this Court to give a direction to consider the same and pass orders, thereon, on merits, within a time frame.

4.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, though already some measurement work has been undertaken, still it seems that some grievance is there with regard to the measurement of the land in question. Hence, the petitioners have given the said representation to the 1st respondent, which should be decided on merits, after hearing the petitioners as well as the private respondents, who seems to have made objection for the measurement to be undertaken as has been sought for by the petitioners.

5.In view of the said submissions made by both sides and having regard to the facts of the case, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:



"The 1st respondent is hereby directed to consider the representation of the petitioners dated 31.05.2019 and pass orders thereon, on merits and in accordance with law, after hearing the petitioners as well as the private respondents herein by giving them separate notices and such action as indicated above, shall be undertaken 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 (P&A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Assistant Director,
Land Survey Department,
Dindigul District, Dindigul.
2. The Inspector of Survey,
Dindigul Division, Dindigul.
3. The Tahsildar,
Dindigul East Taluk Office,
Dindigul District.
4. The Deputy Superintendent of Police,
Vedasandur, Dindigul District.
5. The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Vedasanthur Taluk,
Dindigul District.

+1 CC to M/s.G.GOMATHISANKAR, Advocate (SR-77804[F] dated 26/07/2019)

+1 CC to M/s.SPL GP (SR-78242[F] dated 29/07/2019)

Order made in
W.P. (MD) No.16598 of 2019
Dated: 26.07.2019