



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.16053 of 2019

Kanakamaiyan

... Petitioner

-Vs-

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Surveyor,
O/o.Tahsildar Office,
Andipatti Taluk,
Theni District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the 1st and 2nd respondents to consider the petitioner's representation dated 28.06.2019 and direct the 3rd respondent to survey the land in Survey No.2577/15 in Andipatti Pit I, Chennamanaickenpatti village, Andipatti Taluk, Theni District.

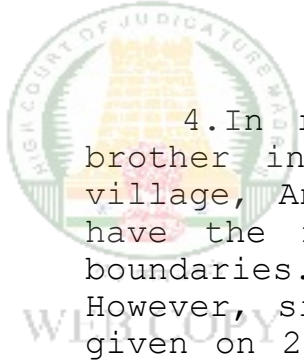
For Petitioner : Mr.S.Balaji
For Respondents : Mr.V.Anand, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's representation dated 28.06.2019 and direct the 3rd respondent to survey the land in Survey No.2577/15 in Andipatti Pit I, Chennamanaickenpatti village, Andipatti Taluk, Theni District.

2.Heard Mr.S.Balaji, learned counsel appearing for the petitioner and Mr.V.Anand, 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. In respect of the land belongs to the petitioner and his brother in S.No.2577/15 in Andipatti Pit I, Chennamanaickenpatti village, Andipatti Taluk, Theni District, the petitioner wanted to have the measurement of the property and to identify the four boundaries. Accordingly, he paid the necessary fee on 10.06.2019. However, since no action was taken, a representation had also been given on 28.06.2019 by the petitioner to the respondents and since no further action has been taken on the said representation, the petitioner is before this Court. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered by the 2nd respondent within a time frame, the petitioner would be satisfied.

5. I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner dated 28.06.2019 would be decided on merits by the 2nd respondent and do the needful accordingly within a time to be stipulated by this Court.

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 hereby directed to consider the representation of the petitioner dated 28.06.2019 and pass orders thereon, on merits and in accordance with law, after giving opportunity to both the petitioner as well as his brother, who is also a joint holder of the patta in question and accordingly, pass final order, within a period of six 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 (CS-II)

// True Copy //

Sub Assistant Registrar

To

1. The District Collector,
Theni District, Theni.

2. The Tahsildar,
Andipatti Taluk,
Theni District.



3.The Surveyor,
O/o.Tahsildar Office,
Andipatti Taluk,
Theni District.

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+1 CC to M/s.S.BALAJI, Advocate (SR-76239[F] dated 19/07/2019)

+1 CC to M/s.SPL GP (SR-76612[F] dated 22/07/2019)

Order made in
W.P.(MD)No.16053 of 2019
Dated:19.07.2019

Arul
MS/09.09.2019/3P.6C