



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.16683 of 2019

P.Senthilvel

...Petitioner

-Vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Thirupuvanam Taluk,
Sivagangai District.

3.The Head Surveyor,
Taluk Office,
Thirupuvanam, Sivagangai District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to survey and demarcate the petitioner's land of 0.01.30 ares (1488 sq.ft), measuring East-West 62 feet South-North 24 feet, comprised in old Natham survey number.160/5, new Natham survey number 728/5 at Vayalcheri Village, Peramanur Group, Thirupuvanam Taluk, Sivagangai District within a time frame that may be stipulated by this Court.

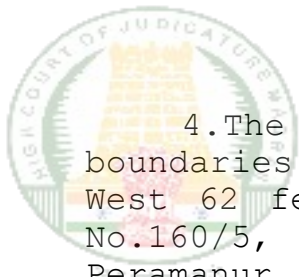
For Petitioner : Mr.A.Balaji
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondents 2 and 3 to survey and demarcate the petitioner's land of 0.01.30 ares (1488 sq.ft), measuring East-West 62 feet South-North 24 feet, comprised in Old Natham Survey No.160/5, New Natham Survey No.728/5 at Vayalcheri Village, Peramanur Group, Thirupuvanam Taluk, Sivagangai District, within a time frame to be stipulated by this Court.

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

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



4.The petitioner, in order to survey and demarcate the boundaries of his land of 0.01.30 ares (1488 sq.ft), measuring East-West 62 feet South-North 24 feet, comprised in Old Natham Survey No.160/5, New Natham Survey No.728/5 at Vayalcheri Village, Peramanur Group, Thirupuvanam Taluk, Sivagangai District, made an application on 03.05.2019 to the second respondent. Hence, the learned counsel for the petitioner submits that if the said representation/application is decided by the second respondent on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

5.I have heard Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner, dated 03.05.2019, would be considered on merits, within a time frame.

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 directions:-

"that the second respondent is hereby directed to consider the representation of the petitioner, dated 03.05.2019 and pass orders thereon, after hearing the petitioner as well as the rival claimants, if any, by issuing separate notice to them, within a period of six weeks from the date of receipt of a copy of this order.

No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector, Sivagangai District, Sivagangai.

2.The Tahsildar, Thirupuvanam Taluk, Sivagangai District.

3.The Head Surveyor, Taluk Office,
Thirupuvanam, Sivagangai District.

+1 CC to Mr.A.BALAJI, Advocate SR-78003.

+1 CC to SPL GP SR-78233.

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