



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2019

WEB COPY

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16688 of 2019

Periyakaruppan

...Petitioner

-Vs-

1.The Tahsildar,
Karaikudi,
Sivagangai District.

2.The Taluk Surveyor,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to conduct survey, measurement and fixing boundary for the petitioner's patta land measuring 0.90.0 hecs (2 acres 25 cents) comprised in Survey No.159/4 situated in Palaiyur Village & Group, Karaikudi Taluk, Sivagangai District, Patta No.294 as per the application of the petitioner dated 05.07.2019 within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.B.Muruganandam

For Respondents : Mr.P.Kannithevan
Additional Government Pleader

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondents herein to conduct survey, measurement and fixing boundary for the petitioner's patta land measuring 0.90.0 hecs (2 acres 25 cents) comprised in Survey No.159/4 situated in Palaiyur Village & Group, Karaikudi Taluk, Sivagangai District, Patta No.294, as per the application of the petitioner dated 05.07.2019, within a time frame to be stipulated by this Court.

2.Heard Mr.B.Muruganandam, learned counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader 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 measure the land and identify four boundaries for his patta land at Survey No.159/4 and Patta No.294 to the extent of 0.90.0 hecs (2 acres 25 cents) situated in Palaiyur Village & Group, Karaikudi Taluk, Sivagangai District, made a representation to the first respondent on 05.07.2019.

5.The learned counsel for the petitioner submits that if the said representation is directed to be considered by the first respondent on merits and final order is passed, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

6.I have heard Mr.Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner dated 05.07.2019 would be decided by the first respondent on merits, after hearing the petitioner as well as the rival claimants, if any, within a time frame to be stipulated by this Court.

7.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 first respondent is hereby directed to consider the representation of the petitioner, dated 05.07.2019 and pass orders thereon, on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any and accordingly, needful shall be done and final order shall be passed within a period of eight weeks from the date of receipt of a copy of this order."

No costs.

Sd/-

Assistant Registrar (CO)

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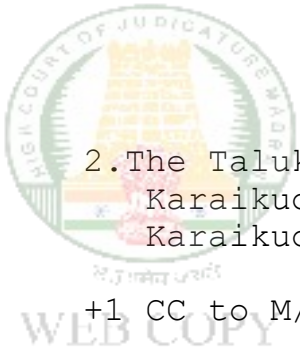
Sub Assistant Registrar (CS)

To

1.The Tahsildar,

Karaikudi,

<https://hcservices.ecourts.gov.in/hcservices/>
Sivagangai District.



2.The Taluk Surveyor,
Karaikudi Taluk,
Karaikudi, Sivagangai District.

+1 CC to M/s.B.MURUGANANDAM, Advocate (SR-78410[F] dt.30/07/2019)

W.P.(MD)No.16688 of 2019
29.07.2019

rmk
JMN(19.08.2019) 3P : 4C