



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.07.2019**

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.16955 of 2019

P.Thangaiah

... Petitioner

-Vs-

1.The Tahsildar,
Theni Taluk,
Theni.

2.The Taluk Surveyor,
Theni Taluk,
Theni District.

3.The Inspector of Police,
Palani Chettipatti Police Station,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to take necessary steps to measure the land and fix the four boundaries bearing Survey No.1405/28 (Old Survey No.1405/3A1) belonging to the petitioner with the necessary police protection, by considering the petitioner's representation dated 11.06.2019 within a stipulated time in accordance with law.

For Petitioner : Mr.M.Prabu

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 take necessary steps to measure the land and fix the four boundaries at Survey No.1405/28 (Old Survey No.1405/3A1), belonging to the petitioner, with necessary police protection, by considering the petitioner's representation, dated 11.06.2019, within a time to be stipulated by this Court.

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



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

4. The petitioner, claimed that the land at Survey No.1405/28 (Old Survey No.1405/3A1) in Veerapandi Village, Theni District, belongs to him and in order to survey the said land and identify the four boundaries, has given an application, dated 11.06.2019 and on the same day, he has also given a representation to the respondents. Hence, the learned counsel for the petitioner submitted that, if the said application as well as the representation are taken into account and act upon by the respondents, especially, the first and second respondents, the petitioner would be satisfied.

5. Heard Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents, who would submit that, the said application as well as the representation of the petitioner, dated 11.06.2019 would be decided on merits by the respondents 1 and 2, within a time frame 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 directions:-

"that the respondents 1 and 2 are hereby directed to consider the representation of the petitioner, dated 11.06.2019 and decide the same on merits and in accordance with law, with regard to the grievance of the petitioner, in the presence of the petitioner as well as the adjacent land owners and in this case, if the respondents 1 and 2 feel that there would be any trouble from the adjacent land owners to undertake the work or measure the land, it is open to them to have a police protection and accordingly, final order shall be passed, within a period of four weeks from the date of receipt of a copy of this order.

No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Tahsildar,

<https://hcservices.theni.gov.in/hcservices/>

Theni.



2.The Taluk Surveyor,
Theni Taluk,
Theni District.

3.The Inspector of Police,
Palani Chettipatti Police Station,
Theni District.

+1 CC to M/s.M.PRABU, Advocate (SR-78812[F] dated 31/07/2019)

+1 CC to M/s.SPL GP (SR-79244[F] dated 01/08/2019)

rmk

W.P. (MD) No.16955 of 2019
31.07.2019

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