



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.11.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.SUNDAR**

W.P(MD)No.23765 of 2019

WEB COPY

Govindaraj

... Petitioner

/Vs./

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Assistant Surveyor,
Pudukkottai,
Pudukkottai District.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Pudukkottai District.

4.The Tahsildar,
O/o.The Tahsildar,
Pudukkottai District.

5.The Surveyor,
Varappu Firka,
Pudukkottai Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 4 and 5 to survey the land and issue patta for an extent of 7 cents in the petitioner's name in S.F.No.279/6 New S.F.No.279/7F of Perungkondanviduthi Village, Pudukkottai Taluk, Pudukkottai District as per Sale Deed dated 02.04.1963 by considering the petitioner's representation dated 17.06.2019.

For Petitioner : Mr.K.Baalasundharam
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.K.Baalasundharam, learned counsel on record for writ petitioner is before this Court.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of all five (5) respondents.



3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 17.06.2019 wherein writ petitioner has made a plea for measuring, surveying and fixing of boundaries of property which according to writ petitioner belongs to him, in other words it is a plea to localise property which according to writ petitioner belongs to him. Writ petitioner undertakes to pay all necessary and prescribed fee and charges in this regard, if not already paid.

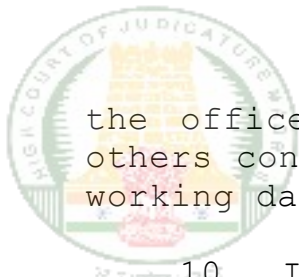
5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the fourth respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 17.06.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the fourth respondent is the authority who shall consider the aforementioned representation dated 17.06.2019 made by the writ petitioner (page No.10 (clean copy in page No.11) of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 17.06.2019 shall be disposed of by the fourth respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the fourth respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the fourth respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by <https://hcservices.ecourts.gov.in/hcservices/>



the office of the fourth respondent to the writ petitioner and others concerned if any under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Assistant Surveyor,
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Pudukkottai District.

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O/o.The Revenue Divisional Office,
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Varappu Firka,
Pudukkottai Taluk,
Pudukkottai District.

+1 CC to M/s.K. BAALASUNDHARAM, Advocate (SR-97870[F] dated 13/11/2019)

+1 CC to M/s.SPL GP (SR-98088[F] dated 13/11/2019)

Order made in
W.P(MD)No.23765 of 2019

Dated:
12.11.2019

KM/ (25.11.2019) 3P 8C