



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.12.2019
CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD) .No.26148 of 2019

Udaiyan

.. Petitioner

Vs.

1.The Tahsildar,
Muthukulathur Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Muthukulathur Taluk,
Ramanathapuram District.

3.The Village Administrative Officer,
Muthukulathur Taluk,
Ramanathapuram District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, direct the 1st respondent to consider and dispose of the petitioner's representation, dated 23.11.2019 by following the Principles of Natural Justice, within stipulated time may be fixed by this court, which is relating to survey the petitioner's land situated in S.No.289, situated in Kaathakulam Village, Muthukulathur Taluk, Ramanathapuram District.

For Petitioner : Mr.K.Muthuvai Ilyaraja

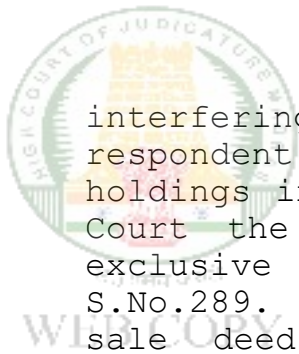
For Respondent : Mr.C.Ramar for R1 to R3

Additional Government Pleader

ORDER

This writ petition is filed for issuing a writ of mandamus to direct the 1st respondent to consider and dispose of the petitioner's representation, dated 23.11.2019 by following the Principles of Natural Justice, within a stipulated time fixed by this court, which is relating to survey the petitioner's land situated in S.No.289, situated in Kaathakulam Village, Muthukulathur Taluk, Ramanathapuram District.

2.The petitioner submitted a representation before the first respondent on 05.11.2019 and 23.11.2019 for survey and demarcation of his property in S.No.289 in Kaathakulam Village, Muthukulathur Taluk, Ramanathapuram District, stating that some third parties are



interfering with his possession, the petitioner approached the respondent for survey and demarcation of the land as per his holdings in S.No.289. The petitioner has also produced before this Court the computer patta showing the petitioner's name as the exclusive owner in respect of an extent of 2.23.50 hectares in S.No.289. However, the petitioner has produced before this Court a sale deed, dated 23.12.1998, wherein it is stated that the petitioner has purchased only an extent of 2.70 acres out of an extent of 5.52 acres in S.No.289.

3.From the records, it is seen that the petitioner who has obtained patta for larger extent, has now come forward with the prayer to survey and demark his lands as per his holdings in S.No.289. Despite an opportunity given to the petitioner to explain the discrepancy, the learned counsel for the petitioner has once again submitted that his representation may be considered.

4.Having regard to the peculiar circumstances and the determination of the petitioner to grab some body's land by getting orders by misleading the Court, this Court is inclined to dismiss the petition with cost of Rs.5,000/- to the credit of Legal Services Authority, Madurai Bench of Madras High Court, within a period of two weeks.

5.It is open to the petitioner to make fresh representation to the respondent seeking survey and fixing boundaries in respect of the land which was purchased as per the document of title deed. When such representation is made, the respondents shall proceed on the representation of the petitioner and pass appropriate orders.

Sd/-

Assistant Registrar (CS-II)

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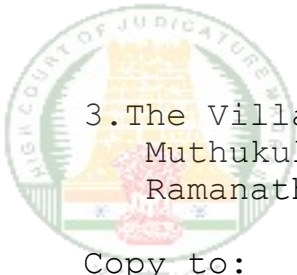
Sub Assistant Registrar(CS)

TM

To

1.The Tahsildar,
Muthukulathur Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Muthukulathur Taluk,
Ramanathapuram District.



3.The Village Administrative Officer,
Muthukulathur Taluk,
Ramanathapuram District.

Copy to:

The Officer In-charge,
Legal Services Authority,
Madurai Bench of Madras High court, Madurai

+1 CC to SPL.GP (SR-105559[F] dated 18/12/2019)

W.P. (MD) .No.26148 of 2019
17.12.2019

MK (09.01.2020) 3P 6C