



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.01.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.868 of 2020

S.Koodalinga Thevar

... Petitioner

Vs.

1) The District Collector,
Virudhunagar District,
Virudhunagar.

2) The Tahsildar,
Sivakasi Taluk Office,
Sivakasi,
Virudhunagar District.

3) The District Surveyor,
Enjar Village,
Sivakasi Taluk Office,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 04.12.2019 and further direct him to make survey his property in Survey No.1153/1, Virudhunagar District, Sivakasi Taluk, Enjar Village and Old Patta is 1445, new patta No.404 at Arunachalapuram and fix stones at boundaries.

For Petitioner : Mr.R.Prabhu Ramachandran

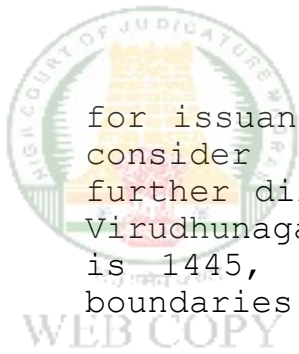
For Respondents : Mr.M.Murugan,
Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The writ petition has been filed by the petitioner praying
<https://hcservices.ecourts.gov.in/hcservices/>



for issuance of a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 04.12.2019 and further direct him to make survey his property in Survey No.1153/1, Virudhunagar District, Sivakasi Taluk, Enjar Village and Old Patta is 1445, new patta No.404 at Arunachalapuram and fix stones at boundaries.

4. The case of the petitioner is that on 08.02.1960, a property was purchased in the name of Sangiliveerappa Thevar, in Sivakasi district and the same property was sub divided as Enjar village, Patta No.404 Ayan Punjai Survey No.1153/1 measuring an extent of 1 Acre and 80 cents, in which the boundaries of the said property had vanished. Therefore, the petitioner in order to identify the boundaries of the said property, approached the third respondent to survey his property in Survey No.1153/1 in Enjar village and made a representation dated 04.12.2019, whereby the third respondent directed the petitioner to pay the survey fee of Rs.80 at SBI Bank, Sivakasi for the said process. The petitioner further submitted the challan and other documents to the respondent for commencing of survey of his land and till now, no effective steps have been taken by the respondents. Therefore, the petitioner has approached this Court by way of filing the present writ petition seeking to consider his representation dated 04.12.2019 and further direct the respondents to survey his property in Survey No.1153/1, Virudhunagar District, Sivakasi Taluk, Enjar Village and Old Patta is 1445, new patta No.404 at Arunachalapuram and fix stones at boundaries.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner, the third respondent is directed to consider the representation of the petitioner dated 04.12.2019 and pass appropriate orders on the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1) The District Collector,
Virudhunagar District,
Virudhunagar.

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



2) The Tahsildar,
Sivakasi Taluk Office,
Sivakasi,
Virudhunagar District.

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3) The District Surveyor,
Enjar Village,
Sivakasi Taluk Office,
Virudhunagar District.

+1 CC to M/s.R.PRABU RAMACHANDRAN, Advocate (SR-1897[F] dated
20/01/2020)

Order made in
W.P(MD)No.868 of 2020
Dated: 20.01.2020

JMN(05.02.2020) 3P : 5C