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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 06.07.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.7352 of 2020

P.Ponnusamy ...Petitioner

Vs

1.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

2.The Field Surveyor,
Nilakottai Firca,
Nilakottai Taluk,
Dindigul District. ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the petitioner's application dated 04.06.2020 and dispose of the same within a stipulated time as prescribed by this Hon'ble Court.

For Petitioner :Mr.A.Chandrakumar
For Respondents :Mr.M.Pandiyarajan
Additional Government Pleader

ORDER

This writ petition is filed seeking a Writ of Mandamus, directing the respondents to consider the petitioner's application dated 04.06.2020 and dispose of the same within a stipulated time as prescribed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, he has made the said application dated 04.06.2020 to the authorities to survey the land in patta No.281, in Survey No.118/5, at Vilinaickanpatty, Nilakottai Tauk, Dindigul District. The said property is a house plot. So that, the petitioner made a request to the authorities to survey the land for the construction of the house in the said land. The petitioner has also paid necessary charges as per the procedure contemplated under the Act. The petitioner received a communication on 10.06.2020 from the first respondent, wherein the petitioner was directed to appear before him for enquiry. Thereafter, the petitioner appeared before the authority concerned and produced all the relevant documents, as per the communication dated 10.06.2020. But thereafter, there is no response from the respondents. Hence, the petitioner has filed the

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present writ petition for the relief stated above.

4.According to the learned Additional Government Pleader appearing for the respondents, already a date was fixed on 13.06.2020 for enquiry, but on that date enquiry was not conducted, due to some administrative reasons. Therefore, he submitted that if the petitioner is appeared for enquiry, the authorities will consider the same and pass appropriate orders.

5.By recording the aforesaid submissions of the learned Additional Government Pleader, this Court is inclined to pass the following order:-

(i).The petitioner shall appear for enquiry before the first respondent/Tahsildar, Nilakottai Taluk, Dindigul District either in person or send the reply/documents by mail to the first respondent on or before 14.07.2020.

(ii).On such compliance of the above direction, the first respondent shall pass appropriate orders, on the application of the petitioner dated 04.06.2020, on merits and in accordance with law and dispose of the said application, within a period of two weeks thereafter.

6.The writ petition is disposed of in the above terms. No costs.

Sd/-

Assistant Registrar (crl.side)

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Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Tahsildar,
Nilakottai Taluk, Dindigul District.

2.The Field Surveyor,
Nilakottai Firca,
Nilakottai Taluk, Dindigul District.

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