



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2020

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CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8950 of 2020

Raghupathi

... Petitioner

Vs.

1.The Thasildar,
Office of the Tahsildar,
Thottiam Taluk, Thottiam,
Trichy District.

2.The Block Development Officer,
Thottiam Union Office,
Thottiam, Karur District.

3.The Head Surveyor,
Thottiam Union Office,
Thottiam,
Karur District.

... Respondents

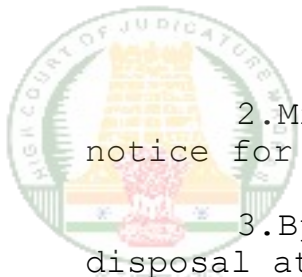
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to survey the property in S.No.790/10 which is situated at Eloorpatti Village, Thottiam Taluk, based on the petitioner's representation dated 03.07.2020.

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.R.Sethuraman
Special Government Pleader

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondents to survey the property in Survey No.790/10, which is situated at Eloorpatti Village, Thottiam Taluk, based on the petitioner's representation dated 03.07.2020.



2.Mr.R.Sethuraman, learned Special Government Pleader takes notice for the respondents.

3.By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

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4.According to the petitioner, he is a resident of Eloorpatti Village and running a tea shop. Behind his house, Natham poramboke land in Survey No.790/10 is situated and it is used as a common pathway by the Villagers from time memorial. Since one Jeyaraman has constructed marriage hall adjacent to the said Survey No.790/10 by encroaching the common pathway and due to that the Villagers are not able to use the common pathway, the petitioner requested the Village President of Eloorpatti to demarcate and survey the said property. Hence, the president of Eloorpatti Village has sent a representation dated 02.07.2020 to the respondents for surveying the said survey number. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

5.The learned Special Government Pleader appearing for the respondents submitted that the petitioner has not submitted the application through on-line and further submitted that if the petitioner made an application through on-line, the authority will immediately process the said application and consider the same in accordance with law.

6.In view of the above said submission made by the learned Special Government Pleader, the petitioner shall make an on-line application before the first respondent within a period of one week from the date of receipt of a copy of this order. On receipt of the said application, the authority shall process the said application in accordance with law, without any delay.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

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 Thasildar,
Office of the Tahsildar,
Thottiam Taluk, Thottiam,
Trichy District.

2.The Block Development Officer,
Thottiam Union Office,
Thottiam, Karur District.

3.The Head Surveyor,
Thottiam Union Office,
Thottiam,
Karur District.

+1 CC to M/s.Special Government Pleader (SR-13955[F] dated
13/08/2020)

Order made in
W.P. (MD) No.8950 of 2020
Dated:07.08.2020

ps
SDS (18.08.2020) 3P-5C