



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.9973 of 2020

Sam Thomas

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3.The Tahsildar,
Chenkottai Taluk,
Tenkasi District.

4.The Taluk Surveyor,
Chenkottai Taluk,
Tenkasi 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 3 and 4 to take necessary action to measure the petitioner's property consisting an area of 1 acre 67.5 cents land equivalent to 7778.428 sq. metres land, of which 51.35 ares land is comprised in Survey No.332/2 of Periyapillaivalasai Village, Chenkottai Taluk, Tenkasi District and 16.43 ares land comprised in Survey No.334/1A1A of Periyapillaivalasai Village, Chenkottai Taluk, Tenkasi District, fix the boundaries in the Eastern and Western sides there by laying boundary stones on the basis of the petitioner's representation dated 01.06.2020.

For Petitioner : Ms.L.Victoria Gowri

For Respondents : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.



ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the respondents 3 and 4 to take necessary action to measure the petitioner's property in Survey Nos.332/2 and 334/1A1A of Periyapillaivalasai Village, Chenkottai Taluk, Tenkasi District and to fix the boundaries in the Eastern and Western sides on the basis of his representation dated 01.06.2020.

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

3.According to the petitioner, he is in possession and enjoyment of the property consisting of 1 acre 67.5 cents of land in Survey Nos.332/2 and 334/1A1A of Periyapillaivalasai village, Chenkottai Taluk, Tenkasi District by way of registered settlement deed dated 21.06.2019. Seeking to measure the property and fix the four boundaries, the petitioner made a representation dated 01.06.2020 to the respondents. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

4.The learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 01.06.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In the light of the above, without expressing any opinion on the merits of the case, this Court directs the third respondent to consider the representation of the petitioner dated 01.06.2020 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner and the interested parties, if necessary.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



WEB COPY

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 District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3.The Tahsildar,
Chenkottai Taluk,
Tenkasi District.

4.The Taluk Surveyor,
Chenkottai Taluk,
Tenkasi District.

+1 CC to M/s.Special Govt.Pleader (SR-14983[F] dated 26/08/2020)

Order made in
W.P. (MD)No.9973 of 2020
Dated:25.08.2020

ps

SDS (03.09.2020) 3P-6C