



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.09.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.11609 of 2020

P.Solai

...Petitioner

Vs

1.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

2.The Head Surveyor,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to survey the petitioner's land in S.No.91/1A to an extent of 0.52.0 ares situated at Usilampatti and another vacant land in old S.No.166/22PT, and later resurvey in Town survey No.63/1A1A having extent of about 0.42 acres situated at Block No.40, Sathya Nagar Street, Usilampatti Town, Usilampatti, by considering the representation dated 14.08.2020 with in a frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.C.Ramesh

Special Government Pleader

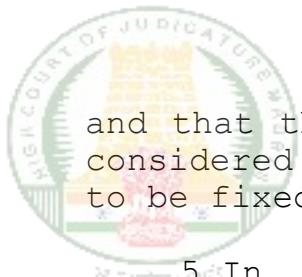
ORDER

This Writ Petition is filed to direct the respondents to survey the land in S.No.91/1A, old S.No.166/22PT and Town S.No.63/1A1A, measuring to an extent of 0.52.0 ares and 0.42 acres respectively situated at Block No.40, Sathya Nagar Street, Usilampatti Town, Usilampatti.

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

3.The learned counsel appearing for the petitioner would submit that the petitioner made a representation dated 14.08.2020 to the respondents with the relief sought for in the prayer. However, on such representation, no action has been taken by the respondents till date. Hence, the petitioner is before this Court for the relief stated supra.

4.In reply, the learned Special Government Pleader appearing for the respondents, on instructions, would submit that there is no rival claim to survey and demarcate the petition mentioned property



and that the petitioner's representation dated 14.08.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. In view of the submission made by the learned Special Government Pleader, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:-

i) the 1st respondent is directed to consider the representation of the petitioner dated 14.08.2020 with regard to survey the petition mentioned property, after affording due opportunity of hearing to the petitioner and the interested parties, if any. If there is any objection from the rival parties, the 1st respondent shall communicate the decision of the same to the parties concerned.

(ii) The aforesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Usilampatti Taluk,
Usilampatti,
Madurai District.

2. The Head Surveyor,
Usilampatti Taluk Office,
Usilampatti,
Madurai District.

+1 CC to M/s.GP (SR-16919[F] dated 15/09/2020)

W.P. (MD) No.11609 of 2020

14.09.2020

SE (CO)

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