



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2020

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD).No.12333 of 2020

A.Nallu

.. Petitioner

Vs.

1.The District Collector,
Collectorate,
Collector Office Road,
Madurai 625 020.

2.The Tahsildar,
Kallikudi Taluk (formerly Thirumangalam Taluk) Office,
Madurai 625 706.

3.The Head Surveyor,
Kallikudi Taluk (Formerly Thirumangalam Taluk) Office,
Madurai 625 706.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondent authorities to act upon the representation submitted by the petitioner dated 08.07.2018 and conduct survey and fixation of the boundaries of the land situated in survey No.46/8 situated at T.Kokkulam Village and covered by Patta No.907 allotted to the petitioner as per order dated 08.12.2006 in Order No.C3/20658/06.

For Petitioner : Mr.M.Sudhan

For Respondents : Mr.C.Ramesh
Special Government Pleader

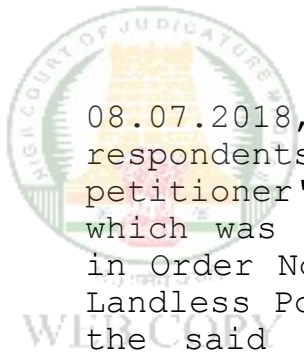
ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent authorities to conduct a survey and fix the boundaries of the petitioner's land situated in survey No.46/8 at T.Kokkulam Village and covered by Patta No.907, which was allotted to the petitioner as per order dated 08.12.2006 in Order No.C3/20658/06, based on the petitioner's representation dated 08.07.2018.

2.Heard Mr.M.Sudhan, learned counsel for the petitioner and Mr.C.Ramesh, learned Special Government Pleader, who takes notice for the respondents and by consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner submitted that on

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



08.07.2018, the petitioner has made an application to the respondents to conduct a survey and fix the boundaries of the petitioner's land, situated in survey No.46/8 at T.Kokkulam Village, which was allotted to the petitioner as per order dated 08.12.2006 in Order No.C3/20658/06 under the special scheme of Giving Lands to Landless Poor Farmers. But, so far, the respondents have not surveyed the said land as requested by the petitioner. Therefore, the petitioner has filed the present writ petition before this Court.

4.The learned Special Government Pleader submits that the third respondent will consider the petitioner's application in accordance with law, within the time stipulated by this Court.

5.Considering the limited scope of the prayer sought for in the writ petition and considering the materials available on record and the facts of this case, without expressing any opinion on the merits of the case, this Court is inclined to dispose of the writ petition with the following direction.

(i)The third respondent is directed to survey the land and fix the boundaries as requested by the petitioner through his application, if there is no other impediment. If there is any objection or rival claim, the third respondent shall conduct an enquiry and to decide the matter and communicate the decision to the parties concerned.

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

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl Side)

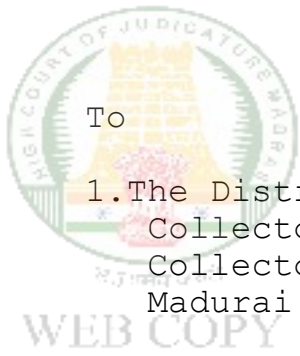
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/ /2020

Sub Assistant Registrar(CS)

TM

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.



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+1 CC to M/s.M. SUDHAN, Advocate (SR-17925[F] dated 24/09/2020)

W.P (MD) .No.12333 of 2020
23.09.2020

SS (CO)

KK(30.09.2020) 3P 5C