



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.09.2020**

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THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.1341 of 2018

Rajendran

...Petitioner

Vs

1.The Tahsildar,
Tahsildar Office,
Alangudi,
Pudukkottai District.

2.The Surveyor,
Taluk Tahsildar Office,
Alangudi,
Pudukkottai 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 land in Survey No.213/29 to the extent of 0.09.45 Acre, which is part and parcel of Patchikkottai village & Panjayath, Alangudi Taluk, Pudukkottai, by considering the representation dated 24/08/2017.

For Petitioner : Mr.V.Selva

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.213/29, measuring to an extent of 0.09.45 Acre, situated at Patchikkottai Village and Panjayath, Alangudi Taluk, Pudukkottai, by considering the petitioner's representation dated 24.08.2017.

2.The grievance of the petitioner is that though he made a representation dated 24.08.2017 before the respondents seeking to survey the petition mentioned property, so far no action has been taken. Hence, the present writ petition.

3.The learned Special Government Pleader appearing for the respondents, on instructions, would submit that due to dispute among between the petitioner and the adjacent land owners, the 2nd respondent was unable to survey the petition mentioned property.



Therefore, the learned Special Government Pleader sought two weeks time for surveying the said property with an aid of the police officials. In this regard, he has produced a copy of the proceedings of the 1st respondent dated 10.09.2020.

4. Based on the aforesaid proceedings dated 10.09.2020 and in agreement with 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 petitioner's representation dated 24.08.2017 to survey the petition mentioned property and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the rival parties, if any. If there is any objection from the rival parties, the 1st respondent shall conduct an enquiry and communicate the decision of the same to the parties concerned;

ii) the 1st respondent is permitted to seek police protection to survey the petition mentioned property, if necessary;

(iii) the aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order;

5. The Writ Petition stands disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2020

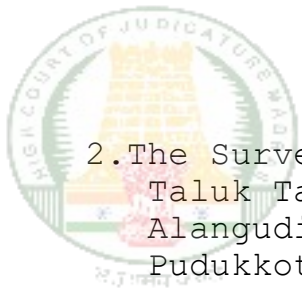
Sub Assistant Registrar(CS)

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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,
Tahsildar Office,
Alangudi,
Pudukkottai District.



2.The Surveyor,
Taluk Tahsildar Office,
Alangudi,
Pudukkottai District.

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+1 CC to SGP (SR-18209[F] dated 28/09/2020)

W.P. (MD) No.1341 of 2018

25.09.2020

NR (06.10.2020) 3P 4C