



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.371 of 2018

Palanisamy

...Petitioner

Vs

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

3.The Taluk Surveyor,
Vedasandur Taluk,
Dindigul District.

4.Muthusamy

5.Pappathiammal

...Respondents

(R4 and R5 has been impleaded
by this Court vide order dated 31.08.2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to survey the land belongs to the petitioner in S.F.No.854/2, S.F.No.856, S.F.No.854/2C, S.F.No.854/2E, S.F.No.854/2F and S.F.No.856/2A, situated at Karattupatti, Kuttam Village, Vedasandur Taluk, Dindigul District, by considering the representation of the petitioner dated 18.12.2017.

For Petitioner : Mr.S.Gokulraj

For R1 to R3 : Mr.P.Kannidevan

Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondents 2 and 3 to survey the land in S.F.Nos.854/2, 856, 854/2C, 854/2E, 854/2F and 856/2A, situated at Karattupatti, Kuttam Village, Vedasandur Taluk, Dindigul District.



2.The grievance of the petitioner is that though he made a representation dated 18.12.2017 before the respondents 2 and 3 with the relief sought for in the prayer, so far, no action has been taken. Hence, the petitioner is before this Court.

3.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that if the petitioner produces all the relevant documents to survey and demarcate the petition mentioned property, his representation dated 18.12.2017, would be considered on merits and in accordance with law, within a period of one week from the date of receiving such documents. In this regard, he has produced a copy of the proceedings of the 2nd respondent in Na.Ka.No.1266/2020/A4 dated 28.08.2020.

4.In reply, the learned counsel appearing for the petitioner would submit that the petitioner shall produce all the relevant documents before the authorities concerned within a period of two weeks from the date of receipt of a copy of this order.

5.Having regard to the limited scope of the prayer made by the petitioner and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:-

i) the petitioner is directed to submit all the relevant documents before the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order;

ii) except the documents, which has to be produced by the petitioner, if any other documents are necessary to proceed with the matter, the 2nd respondent shall issue notice to the petitioner for getting the same;

iii) on receipt of all such documents, the 2nd respondent is directed to consider the petitioner's representation dated 18.12.2017 and pass appropriate orders on merits and in accordance with law;

iv) the aforesaid 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 directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// 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 District Collector,
Dindigul District,
Dindigul.
- 2.The Tahsildar,
Vedasandur Taluk,
Dindigul District.
- 3.The Taluk Surveyor,
Vedasandur Taluk,
Dindigul District.

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VB (08.09.2020) 3P 4C