



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P (MD)No.6672 of 2018

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A.Ethai Sha

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai East,
Madurai.

3.The Taluk Surveyor,
Madurai East Taluk,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to measure and demarcate the house plot allotted to the petitioner by considering the petitioner's representations dated 30.11.2017 and 02.03.2018.

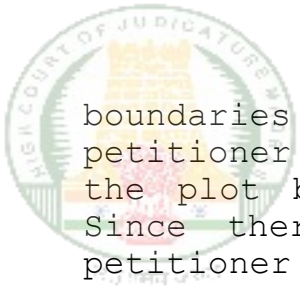
For Petitioner : Mr. R.Narayanan
For respondents : Mr.M.Murugan
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to measure and demarcate the house plot allotted to the petitioner by considering the petitioner's representations dated 30.11.2017 and 02.03.2018.

2.Heard the learned Counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents.

3.The learned Counsel appearing for the petitioner submitted that the petitioner is a landless poor and he was allotted a plot measuring 0.00.56.0 cents in Survey No.70/2 in Sakkimangalam Bit II Village, Madurai North Taluk, Madurai District. Though the second respondent issued a patta vide his proceedings dated 31.08.2012 in Na.Ka.No.14643/11/B1, they have not marked the four



boundaries by measuring and demarcating the plot. Therefore, the petitioner approached the respondents for measuring and demarcating the plot by making representations on 30.11.2017 and 02.03.2018. Since there is no response from the respondents so far, the petitioner has come forward with this Writ Petition.

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4. Considering the facts and circumstances, the second respondent is directed to consider the representations of the petitioner, dated 30.11.2017 and 02.03.2018 and survey the land and demarcate the boundaries, after hearing the petitioner and the persons who are likely to be affected. The said survey shall be photographed and videographed in the presence of the petitioner and the persons who are likely to be affected and the costs of photograph and Videograph to be borne by the party seeking patta. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not decided the rights of the parties in the present Writ Petition. It is open to the respondents to decide the same. The directions given in W.P(MD).No.7746 of 2020 batch, dated 23.09.2020 and W.P.(MD)No.13465 of 2020 dated 05.10.2020 should be followed wherever it is applicable.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

1.The District Collector, Collectorate,
Madurai District, Madurai.

2.The Tahsildar,
Madurai East, Madurai.

3.The Taluk Surveyor,
Madurai East Taluk, Madurai.

+1 CC to M/s.GP (SR-19780[F] dated 12/10/2020)

W.P(MD)No.6672 of 2018
09.10.2020

CO(SSS)

<https://hccs.courts.gov.in/cases/2P> 5C