



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.09.2020**

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WEB COPY

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

W.P. (MD) No.7539 of 2018

M.Navaneetham

... Petitioner

Vs.

1.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

2.The Head Surveyor,
Taluk Office,
Aranthangi Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to measure the lands comprised in Survey No.47/1A and 47/1B1A measuring an extent of 0.09.0 and 0.20.14 Ares situated at Kandichangadu Village, Aranthangi Taluk and fix the boundaries of the petitioner land of an extent of 0.09.0 and 0.20.14 ares in the said survey number by considering the petitioner application dated 22.01.2018 within the time stipulated by this Court.

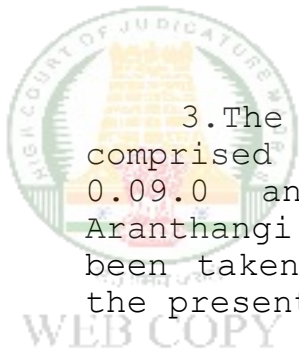
For Petitioner : Mr.R.Venkateshwar

For Respondents : Mr.C.Ramesh,
Special Government Pleader

ORDER

This writ petition is filed seeking for a direction to the respondents 1 and 2 herein to measure the lands comprised in Survey No.47/1A and 47/1B1A measuring an extent of 0.09.0 and 0.20.14 Ares situated at Kandichangadu Village, Aranthangi Taluk and fix the boundaries of the petitioner land of an extent of 0.09.0 and 0.20.14 ares in the said survey number by considering the petitioner application dated 22.01.2018 within the time stipulated by this Court.

2. Heard Mr.R.Venkateshwar, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.



3.The petitioner has made an application to survey the lands comprised in Survey No.47/1A and 47/1B1A measuring an extent of 0.09.0 and 0.20.14 ares situated at Kandichangadu Village, Aranthangi Taluk and fix the boundaries, but, so far, no action has been taken by the authorities and hence, the petitioner has filed the present writ petition.

4.The learned counsel appearing for the petitioner would submit that it is suffice, if a direction is issued to the second respondent to consider the petitioner's representation dated 22.01.2018.

5.The learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation dated 22.01.2018 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

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

(i) The second respondent is directed to consider the petitioner's representation dated 22.01.2018 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 respondent shall conduct the enquiry and communicate the decision to the parties concerned.

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

7.This Writ Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

// 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 Tahsildar,
Aranthangi Taluk,
Pudukottai District.

2.The Head Surveyor,
Taluk Office,
Aranthangi Taluk,
Pudukottai District.

+1 CC to M/s.Special Govt.Pleader (SR-18474[F] dated 30/09/2020)

W.P.(MD) No.7539 of 2018
29.09.2020

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SDS (07.10.2020) 3P-4C