



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No. 18672 of 2018

Venkatesan

...Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Tahsildar Office,
Uthamapalayam Taluk,
Theni District.

3.The Head Surveyer,
Uthamapalayam Taluk Office,
Uthamapalayam, Theni District.

4.The Town Surveyor,
Chinnamanur Municipality,
Chinnamanur, Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to measure the shop No.4 in Survey No.590/1A1A situated at 9th ward, Periyakulam Division, Chinnamanur Sub Division, Uthamapalayam Taluk, Theni District by accepting the necessary fees for survey by considering the petitioner's representation, dated 02.08.2018.

For Petitioner	: Mr.S.Muniyandi
For Respondents	: Mr.C.Ramesh, Special Government Pleader.

ORDER

This Writ Petition is filed to direct the second respondent to measure the shop No.4 in Survey No.590/1A1A situated at 9th ward, Periyakulam Division, Chinnamanur Sub Division, Uthamapalayam Taluk, Theni District, by accepting the necessary fees for survey, by considering the petitioner's representation, dated 02.08.2018.

2.The learned counsel appearing for the petitioner submitted that the petitioner made a representation, dated 02.08.2018 for measuring the shop No.4 in Survey No.590/1A1A, situated at 9th ward, Periyakulam Division, Chinnamanur Sub Division, Uthamapalayam Taluk, Theni District, But, so far no steps has been taken by the respondents to measure the shop. The petitioner filed this present writ petition.



3.The learned Special Government Pleader appearing for the respondents submitted that if the petitioner pays the necessary fee to the respondent, the petitioner's representation would be considered in accordance with law.

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4.The learned counsel for the petitioner has also agreed to pay the necessary charges to the respondent.

5. In view of the aforesaid submission made by the learned counsel on either side, this Court directs the petitioner to pay the necessary fee to the second respondent along with copy application within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to measure the property in accordance with law. If there is any objection from the rival parties, the respondent shall conduct the enquiry and communicate the decision to the parties concerned.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /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 District Collector,
Theni District, Theni.

2.The Tahsildar,
Tahsildar Office, Uthamapalayam Taluk,
Theni District.



3.The Head Surveyer,
Uthamapalayam Taluk Office,
Uthamapalayam, Theni District.

4.The Town Surveyor,
Chinnamanur Municipality,
Chinnamanur, Theni District.

+1 CC to SGP (SR-18463[F] dated 30/09/2020)

W.P.(MD) No. 18672 of 2018
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SJ(CO)
KM (07.10.2020) 3P 6C