



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD)No.926 of 2021

Krishnan

... Petitioner

- Vs -

1.The District Collector,
District Collector Office,
Ramanathapuram District.

2.The Tahsildar,
Kamuthi Taluk Office,
Ramanathapuram District.

3.The Surveyor,
Kamuthi Taluk Office,
Ramanathapuram District.

4.Rajamanickam

5.Kottaiswari

6.Tharmalingathevar

7.Raniyammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the representation dated 02.03.2020 and to survey and demarcate the boundaries of petitioner land in Survey No.115 - 4B1 total extents Cents 12.486 Sq. ft. Kottaimedu, Kamuthi Taluk, Ramanathapuram District and to disburse of the same within a time frame.

For Petitioner	: M/s.S.Bharathi
For Respondents	: Mr.C.Ramesh
1 to 3	Special Government Pleader
For Respondents 4 & 5	: Mr.K.Kumaravel
For Respondents 6 & 7	: No appearance

ORDER

When the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 3 produced a copy of the communication addressed by the Tahsildar concerned stating that the land, which is the subject matter of the Writ Petition, had been surveyed on 30.05.2020. The communication also would state that the petitioner is not satisfied with the survey and measurement of the land and in case, he has got any further grievance, it is open to him to prefer an appeal against the survey report of the Surveyor.



2. According to the learned Counsel appearing for the petitioner, the survey has not been properly done and therefore, he would submit that there is a subsisting interest in the Writ Petition.

3. This Court is unable to appreciate as to how the Writ Petition could still be kept pending when the prayer itself is seeking survey of the land which had been done as early as on 30.05.2020. As rightly stated in the communication of the Tahsildar dated 21.01.2021, in case, the petitioner still has any grievance against the survey conducted by the respondents, it is open to him to file an appeal against the Surveyor report or it is always open to approach the competent Civil Court.

4. In the above circumstances, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

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Sub Assistant Registrar (CS)

SRM

To

1. The District Collector,
District Collector Office,
Ramanathapuram District.

2. The Tahsildar,
Kamuthi Taluk Office,
Ramanathapuram District.

3. The Surveyor,
Kamuthi Taluk Office,
Ramanathapuram District.

+1 CC to MR.K.KUMARAVEL, Advocate (SR-4095[F] dated 09/02/2021)

+1 CC to M/S.S.BHARATHI, Advocate (SR-4417[F] dated 11/02/2021)

+1 CC to SPL GP (SR-4606[F] dated 11/02/2021)

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