



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.16167 of 2014

V.Manikandan ...Petitioner

Vs.

- 1.The District Collector,
Theni District, Theni.
- 2.The Tahsildar, Taluk Office,
Andipati, Theni District.
- 3.The Surveyor, Taluk Office,
Andipatti, Theni District.
- 4.Natarajan
- 5.Paulraj

...Respondents

(Respondent Nos.4 and 5 are impleaded as per order of this Court dated 17.04.2021 made in M.P. (MD) .No.1 of 2015)

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second and third respondents to survey the petitioner's land in Survey No.1422/1 measuring about 2 acres 93 cents in Old Patta No.2861 and New Patta No.3475, situated at Murukkodai Village, Andipatti Taluk, Theni District and fix its boundaries as per the revenue records by considering the petitioner's representation dated 01.09.2014 within the time limit that may be stipulated by this Court.

For Petitioner :Mr.R.Mohana Sundaram
For R-1 to R-3 :Mr.K.P.Narayana Kumar
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to consider the representation made by the petitioner on 01.09.2014, wherein, the petitioner has sought for survey of the subject property and to fix the boundaries.

2. When the matter came up for admission on 25.09.2014, the petitioner was directed to implead the rival parties and accordingly, M.P. (MD) .No.1 of 2015 was filed before this Court and the same was allowed and respondents 4 and 5 have been impleaded in this Writ Petition.



3. Heard Mr.R.Mohana Sundaram, learned counsel appearing on behalf of the petitioner and Mr.K.P.Narayana Kumar, learned Special Government Pleader, appearing on behalf of the respondents 1 to 3.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second and third respondents to consider the representation made by the petitioner on 01.09.2014 and conduct an enquiry after affording opportunity to the petitioner and the respondents 4 and 5 with regard to survey of the subject property. This exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second and third respondents along with all the relevant documents and also a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

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,
Theni District, Theni.

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

3.The Surveyor, Taluk Office,
Andipatti, Theni District.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-16447[F] dated 19/04/2021)

+1 CC to M/s.SPL GP (SR-16526[F] dated 19/04/2021)

Order made in

W.P. (MD) .No.16167 of 2014

17.04.2021