



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2011

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

W.P. (MD) No.11386 of 2011

K.Kanagaraj

... Petitioner

Vs.

1.The District Collector,  
Theni District.

2.The Tahsildar,  
Theni Taluk,  
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the second respondent to survey and demarcate the boundaries of the land in New Survey No.199/3, 192/1/3C and 199/3A1, Seelaiyampatti Village, Theni Taluk and Theni District in consideration of representation dated 02.09.2011.

For Petitioner ... Mr.R.Maheswaran  
For Respondents ... Mr.M.Govindan  
Special Government Pleader

\* \* \* \* \*

ORDER

This writ petition has been filed by the petitioner to issue a writ of Mandamus directing the second respondent to survey and demarcate the boundaries of the land in New Survey No.199/3, 192/1/3C and 199/3A1, Seelaiyampatti Village, Theni Taluk, Theni District in consideration of his representation dated 02.09.2011.

2. Heard Mr.R.Maheswaran, learned Counsel for the petitioner and Mr.M.Govindan, learned Special Government Pleader who takes notice for the respondents.

3. By consent, the writ petition itself is taken up for final disposal.

4. The petitioner has filed this Mandamus to direct the respondents to survey and demarcate the lands mentioned above and he has also made representation to the respondents on 02.09.2011. Since the said representation has not been considered so far, the writ petition has been filed by the petitioner.

5. Without going into the merits of the petitioner's claim, the second respondent/Tahsildar is directed to consider the representation of the petitioner dated 02.09.2011 on its own merits and in accordance with law as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order. If the right of any third party will be affected, it is necessary that the authority should put such person on notice, so as to avoid the allegations of violation of principles of natural justice. It is made clear that this Court does not express any opinion on the merits of the petitioner's case and the authority shall consider the same on its own merits.

6. The Writ Petition is disposed of as above. No Costs.

Sd/-  
Assistant Registrar (A.S)  
/True Copy/

Sub Assistant Registrar (C.S)

To:

1. The District Collector,  
Theni District.

2. The Tahsildar,  
Theni Taluk,  
Theni District.

W.P. (MD) No.11386 of 2011

30.09.2011

rj2  
RJ/18.10.11  
2p/3c