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A. Manohar Vs. The Tahsildar, Melur Taluk, Melur, Madurai District and Another

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Court : Chennai Madurai

Decided On : Sep-01-2016

Judge : M. Venugopal

Appeal No. : W.P(MD)No. 16612 of 2016

Appellant : A. Manohar

Respondent : The Tahsildar, Melur Taluk, Melur, Madurai District and Another

Judgement :

(Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to survey the Petitioner's land in respect of the Old Survey No.270, Re.Sy.No.1A2B3 and 1A2C5, at Therkutheru Village, Melur Taluk, Madurai District on the basis of the representation, dated 10.12.2015.)

1. Heard both sides.

2. By consent, the main Writ Petition itself is taken up for final disposal.

3. No counter is filed on behalf of Respondents.

4. It appears that the Petitioner, on earlier occasion, had filed W.P.(MD)No.17991 of 2014, before this Court, seeking to dispose of his representation, dated 01.09.2014 and the same was disposed of, on 10.11.2014. At this stage, the grievance of the Petitioner is that the Respondents cannot put up a public Sintex Water Tank in his land. Therefore, it is necessary to survey his land in Old Survey No.270, Re.Sy.Nos.1A2B3 and 1A2C5, at Therkutheru Village, Melur Taluk, Madurai Districtl. He had remitted the Challan for a sum of Rs.200/- before the First Respondent / Tahsildar, Melur Taluk, Melur, Madurai District, for surveying of his land and also projected a representation, dated 10.12.2015, before the First Respondent.

5. Admittedly, the representation of the Petitioner, dated 10.12.2015 is pending on the file of the First Respondent, without any consideration or disposal. At this juncture, this Court, without going into the merits and contents of the representation of the Petitioner, dated 10.12.2015, simpliciter, directs the First Respondent, to look into the representation of the Petitioner, dated 10.12.2014, and to dispose of the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order (of-course after providing necessary opportunity to the Petitioner and others concerned, by adhering to the principles of natural justice, in true letter and spirit, by issuing notice to the Petitioner and others concerned, if any, if situation so warrants).

6. It is open to the Petitioner to submit either a copy of the old representation, dated 10.12.2015, before the First Respondent or a fresh representation, in the subject matter in issue, within a period of one week from the date of receipt of a copy of this order. Soon after receipt of either a copy of the old representation or a fresh representation, the First Respondent shall do the needful to and in favour of the Petitioner, within the time aforestated.

7. With the aforesaid observation(s) and direction(s), the Writ Petition stands disposed of. No costs.

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