



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 02.08.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.13756 of 2016

E.M.S.Sugumaran

..Petitioner

Vs

The Tahsildar,
Madurai North Taluk,
Madurai.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to demark and fix the boundaries of the Petitioner's property situated in S.No.618/1, 618/2, Tallakulam, Madurai North Taluk, Madurai, by considering the representation of the Petitioner, dated 6.6.2016.

For Petitioner :M/s.N.Satish Babu

For Respondent :Mr.S.Kumar
Addl.Govt.Pleader

ORDER

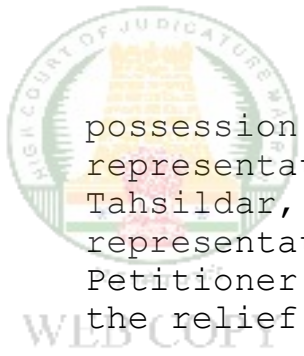
Heard both sides.

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

3.No counter is filed on behalf of the Respondent.

4.According to the Petitioner, he is in absolute possession and enjoyment of the properties situated in Town Survey No.618/1, 618/2, Tallakulam, Madurai North Taluk, Madurai. In fact, the total extent of the said property comes around 12 cents I.e., 5232 sq.fts.

5.From the date of purchase in the year 2008, the Petitioner is in absolute possession and enjoyment of the aforesaid properties. He has decided to renovate his building, since the properties are old building in character and also had also determined to fix the correct boundaries to safe-guard his



possession. In this regard, the Petitioner had submitted a representation, dated 6.6.2016 addressed to the Respondent/The Tahsildar, Madurai North Taluk, Madurai. Till date, the said representation is pending and not yet disposed of. Hence the Petitioner has come forward with the present Writ Petition, for the relief as stated supra.

6. In view of the fact that the Petitioner's representation, dated 6.6.2016 in the subject-matter in issue is pending with the Respondent/The Tahsildar, Madurai North Taluk, Madurai, this Court, in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the Respondent to look into the representation of the Petitioner, dated 6.6.2016 within a period of one week from the date of receipt of a copy of this order and thereafter, to dispose of the same by passing a reasoned speaking order, on merits (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Respondent/The Tahsildar, Madurai North Taluk, Madurai and the Respondent in-turn shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 6.6.2016. The Petitioner is directed to lend his co-operation and assistance to the Respondent, in disposing of his representation dated 6.6.2016, within the time frame determined by this Court.

7. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

vsn

To

The Tahsildar, Madurai North Taluk, Madurai.

+1CC to Mr. N. Sathish Babu, Advocate Sr.No. 41163

+1CC to Spl. Government Pleader Sr.No. 41557

GJM/SKS/RR/9.8.16-2p-4c

W.P (MD) No. 13756 of 2016

02.08.2016