

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.08.2016****CORAM****THE HONOURABLE MR. JUSTICE M. VENUGOPAL****W.P (MD) No.15641 of 2016**

S.Uma Maheswari

... Petitioner

Vs.

1.The Thasildar,
East Taluk,
Madurai District.

2.The Land Surveyor,
East Taluk,
O/o.Land Surveyor,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus directing the Respondents to measure the land in Survey No.41/18B2 in Patta No.72, situated at Ulaganeri Village, North Taluk, Madurai District based on the Petitioner's representation, dated 01.07.2016, within a time stipulated by this Court.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.S.Kumar,
Additional Government Pleader**O R D E R**

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

2. No counter-affidavit is filed on behalf of the Respondents.

3. According to the Petitioner, her adjacent land owners are measuring their lands and putting up the boundary stones. In the meanwhile, her father had also expired on 01.08.2013 and as the legal heir of her father, she is the only person to use the land in question. She wants to sell the property and therefore, it is just and necessary to measure the land in Survey No.41/18B2 in patta No.72 measuring an extent of 99 cents situated at Ulaganeri Village, North Taluk, Madurai District.



4. The grievance of the Petitioner is that she approached the Respondents to measure her land in Survey No.41/18B2 in patta No.72 measuring an extent of 99 cents situated at Ulaganeri Village, North Taluk, Madurai District, for which, the Second Respondent advised her to pay challan on 01.07.2016. She made a representation to the Respondents and paid a sum of Rs.80/-. Even after making such payment of Rs.80/-, no positive action was taken in the subject matter in issue.

5. Considering the fact that the Petitioner's representation, dated 01.07.2016 addressed to the Madurai North Taluk, is pending without any disposal or progress and at this stage, it is represented on behalf of the Petitioner that proper person is only the Tahsildar, East Taluk, Madurai District and taking note of the same, this Court at this stage, simpliciter, directs the First Respondent/Tahsildar, East Taluk, Madurai District, to look into the representation of the Petitioner, dated 01.07.2016 and to pass necessary orders, within a period of six weeks from the date of receipt of a copy of this order (Of course after adhering to the Principles of Natural Justice by issuing notice to the Petitioner and others concerned if any, who are interested in the subject matter in issue). In case, the First Respondent is in need of any copy of relevant records/certified copy of documents, as the case may be, then, it is open to the First Respondent to call for such records/documents from the possession of the Petitioner by means of issuance of memo/notice and soon after receipt of such memo/notice, it is incumbent on the part of the Petitioner to comply with the plea/request made by the First Respondent without any haziness or hesitation, as expeditiously as possible, so as to enable the First Respondent/Tahsildar, East Taluk, Madurai District, to do the needful, within the time adumbrated by this Court, as stated supra. Needless for this Court to make a significant mention that the Petitioner is to render her assistance and instinted co-operation to the First Respondent in the subject matter in issue.

With the above said Direction(s)/Observation(s), this Writ Petition stands disposed of. No Costs.

Sd/
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar



To
1.The Thasildar,
East Taluk,
Madurai District.

WEB COPY

2.The Land Surveyor,
East Taluk,
O/o.Land Surveyor,
Madurai District.

+1 cc to Special Government Pleader Sr.No.46744

+1 cc to MR.D.ANBARASU, Advocate Sr.No.46494

W.P (MD) No.15641 of 2016
23.08.2016

SMA/SS-2/01/09/2016 :3P/5C