



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.19634 of 2016

M.Sornam

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner,
Madurai Corporation,
South Zone,
Madurai - 625 001.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to depute his surveyor to demarcate and fix boundaries of the house property of the petitioner situated at Plot No.10, Door No.18, Ramaiah Street, Jaihindpuram, Madurai, enabling the petitioner to raise a compound wall on the south side of her house property by considering the representation of the petitioner, dated 09.06.2016.

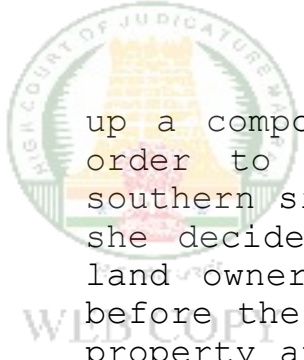
For Petitioner : Mr.D.Sasikumar

For Respondents : Mr.J.Gunaseelana Muthaiah,
Government Advocate

ORDER

The Petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the 2nd respondent to depute his surveyor to demarcate and fix boundaries of the house property of the petitioner situated at Plot No.10, Door No.18, Ramaiah Street, Jaihindpuram, Madurai, enabling the petitioner to raise a compound wall on the south side of her house property.

2.According to the petitioner, he purchased a vacant site measuring to an extent of 6 cents 359 sq. ft. in the year 1973 through registered sale deeds, dated 25.07.1973, 09.08.1973 and 30.05.1975 and she has also constructed a house by availing loan. At the time of construction of the house, she was not able to put



up a compound wall due to financial constrain and therefore, in order to raise compound wall, she left three feets on the southern side and two feets on the northern side of her plot. Now, she decided to raise a compound wall, for that the neighbouring land owners raised objection. Hence, she filed an application before the respondents to survey and fix boundaries of the house property and she has also paid necessary Court fees for the same. But, so far, no orders have been passed.

3. The learned Government Advocate on instructions would submit that the above application has been forwarded to the Executive Engineer (Planning), Tallakulam, for necessary orders.

4. In the above circumstances, the second respondent is directed to consider the application of the petitioner, dated 14.09.2016 and pass orders with regard to survey and fix boundaries of the petitioner's house property, after giving notice to the neighbouring land owners, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

+1 cc to MR.J.GUNASEELAN MUTHIAH, Advocate SR.No.61080

+1 cc to MR.D.SASIKUMAR, Advocate Sr.No.61218

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18.10.2016

SMA/GSV-PM/03.11.2016:2P/3C