



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.18013 of 2017

S.Renganayagi

... Petitioner

-vs-

1. The Commissioner,
Trichy City Municipal Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.

2. The Assistant Commissioner,
K.Abhishekapuram Zone,
Trichy City Municipal Corporation,
Trichy, Trichy District.

3. P.Thiruvarasu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to carry out survey in front of petitioner's house property situated at Trichy District, Trichy Town, New Ward B, New Block 6, New T.S.No.51, Woraiyur Muneeswaran Kovil measuring 925 square feet vacant site as well as house situated thereon in order to ascertain boundary limits in between her house and corporation road in the light of her representation dated 23.08.2017.

For Petitioner

: Mr.R.Sundar

For R1 & R2

: Mr.M.Alagathevan

Special Govt. Pleader

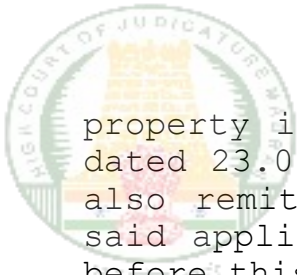
O R D E R

This writ petition has been filed, seeking to direct the 2nd respondent to conduct survey on the basis of the representation of the petitioner dated 23.08.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2. Notice to R3 is dispensed with in view of the fact that opportunity of hearing will be given to R3 by the concerned authority, while taking a decision on the representation of the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The case of the petitioner is that there is neither civil suit nor rival claim whatsoever pending in respect of the



property in question and as such, she has submitted an application dated 23.08.2017 for measurement and survey of the property and has also remitted necessary fee to the concerned authority. Since the said application has not been considered so far, the petitioner is before this Court with the above prayer.

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4. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matters, directs the second respondent to consider the application/representation of the petitioner dated 23.08.2017 and pass suitable orders regarding measurement of the property on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, 3rd respondent and other interested parties, if any.

5. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner,
Trichy City Municipal Corporation,
Promenade Road, Cantonment,
Trichy-1, Trichy District.
2. The Assistant Commissioner,
K.Abhishekapuram Zone,
Trichy City Municipal Corporation,
Trichy, Trichy District.

+1cc to Mr.R.SUNDAR Advocate in SR. No. 81488

AR

JS/MR.KKR/SAR.1/10.10.2017/2P-4C

W.P (MD) No.18013 of 2017

03.10.2017