



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.20896 of 2017

WEB COPY

A.Pandi

... Petitioner

-vs-

1. The Tahsildar,
Thirumangalam Taluk,
Madurai District.

2. The Surveyor,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.

3. The Village Administrative Officer,
Vagaikulam Village,
Thirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.11.2017 and consequently direct the respondents to do survey and fix the four boundaries comprised in Old Survey No.73/6 with an extent of 0.42.0 ares i.e. 1 acre and 5 cents, now at New Survey No.73/13 including his 4 cents of House Plot in the above said Survey Number and to issue individual Patta in his land and to issue individual Patta in his land within time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.M.Alagathevan
Spl. Govt. Pleader

ORDER

This writ petition has been filed, seeking to direct the respondents to consider the petitioner's representation dated 06.11.2017 and consequently direct the respondents to do survey and fix the four boundaries comprised in Old Survey No.73/6 with an extent of 0.42.0 ares, i.e., 1 acre and 5 cents, now at New Survey No.73/13, including his 4 cents of House Plot in the above said Survey Number and to issue individual Patta in his land.



2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents. By consent on either side, the writ petition is taken up for final disposal.

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/representation dated 06.11.2017 for survey and fixation of the boundary of the property. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

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 first respondent to consider the application/representation of the petitioner dated 06.11.2017 and pass suitable orders regarding survey and fixation of boundary of the property, subject to payment of necessary fee by the petitioner, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

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

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Thirumangalam Taluk,
Madurai District.
2. The Surveyor,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.
3. The Village Administrative Officer,
Vagaikulam Village,
Thirumangalam Taluk,
Madurai District.

+1cc to Mr.R.SUNDAR, Advocate, SR. 90793

+1cc to M/S.Special Government Pleader, SR. 90533

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29.11.2017

AR