



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21635 of 2017

WEB COPY

Vasantha

... Petitioner

-vs-

1. The Tahsidar,
Kayathar Taluk,
Tuticorin.
2. The Land Surveyor,
Kayathar Taluk,
Kayathar,
Tuticorin District.
3. Sollamadi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents 1 & 2 to consider the Petitioner's representation dated 01.11.2017, i.e. to measure petitioner's land in S.No. 53/5h to the extent of 5 cents situated at Balaiyapuram, Rajapudukudi village, Kayathar, Taluk, Tuticorin District.

For Petitioner	: Mr.D.Anbarasu
For Respondents	: Mr.M.Alagathevan,
R1 & R2	Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the respondents 1 & 2 to consider her representation dated 01.11.2017 i.e. to measure her land in S.No. 53/5h to the extent of 5 cents situated at Balaiyapuram, Rajapudukudi village, Kayathar, Taluk, Tuticorin District.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for R1 & R2. Notice to R3 is dispensed with, as no adverse order is going to be passed in this petition against her. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

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 as of now, as the original suits and appeals filed in respect of the subject property ended in favour of the petitioner and as such, she has submitted an application dated 01.11.2017 for measurement of the property. Since the said



application has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader appearing for the respondents 1 & 2, on instructions, submitted that the representation of the petitioner will be considered on merits within the time stipulated by this Court.

5. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the third respondent to consider the petitioner's representation dated 01.11.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Kayathar Taluk,
Tuticorin.
2. The Land Surveyor,
Kayathar Taluk,
Kayathar,
Tuticorin District.

+1cc to Mr.D.ANBARASU Advocate in SR. No. 89133

AR

JS/GT/SAR.1/13.12.2017/2P-4C

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24.11.2017