



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21778 of 2017

S.Ramesh

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Nanguneri Taluk,
Tirunelveli District.

2.The Taluk Surveyor,
Taluk Office, Nanguneri Taluk,
Tirunelveli District.

3.Rajammal

4.Subbiah

5.Rajagopal

... Respondents

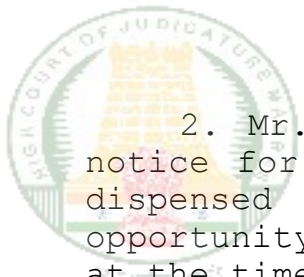
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to take action on the petitioner's representation dated 21.05.2017 and to fix the boundary by demarcating the petitioner's property namely the land measuring an extent of 13.65 cents comprised in survey number 2528/8 and the house constructed therein bearing Door No.15, situated at Nadu Street, Moolaikkarapatti Village, Nanguneri Taluk, Tirunelveli District after giving notice to the petitioner and the respondents 3 to 5 herein with in a stipulated period fixed by this Hon'ble Court.

For Petitioner
For Respondents

: Mr.S.P.Maharajan
: Mr.J.Gunaseelan Muthiah,
Government Advocate
for R.1 & R.2

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.



2. Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the respondents 1 & 2. Notice to respondents 3 to 5 is dispensed with, as no adverse order is going to be passed and opportunity of hearing will be provided to them, by the authorities, at the time of hearing.

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3. According to the petitioner, the subject mentioned property belongs to him, whereas, the respondents 3 to 5 are claiming title over the western portion of his property and aggrieved over the same, the petitioner has submitted a representation before the respondents on 21.05.2017, for measuring as well as demarcating his property. As the same is kept pending, without any action, the petitioner is before this Court with the above prayer.

4. When the matter is taken up for hearing today, the learned Counsel for the petitioner submitted that it would suffice, if his representation is disposed of by the authorities, on merits.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 & 2 to consider the representation of the petitioner dated 21.05.2017 and pass appropriate orders regarding measurement of the property, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner and respondents 3 to 5 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, on payment of necessary fee, if not already paid.

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

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Tahsildar, Taluk Office,
Nanguneri Taluk, Tirunelveli District.

2.The Taluk Surveyor,
Taluk Office, Nanguneri Taluk,
Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.89931

+One cc to Mr.S.P.Maharajan, Advocate, SR.No.89382

gk

RL/5C/2P/KK/SAR1/11/12/2017

W.P (MD) No.21778 of 2017

27.11.2017