



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.01.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.763 of 2017

Vellaithayee

..Petitioner

Vs

The Tahsildar,
Madurai North Taluk,
Madurai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to measure the Petitioner's property in S.No.82/1 of Ayan Poothakudi Village, Madurai Taluk, Madurai District and to fix the boundaries to his land by considering her representation dated 15.12.2016 within the time frame fixed by this Court.

For Petitioner :M/s.S.Sukumar

For Respondent :Mr.T.S.Mohammed Mohideen
Addl.Govt.Pleader

ORDER

The Petitioner seeks for a direction to the the respondent to measure the Petitioner's property in S.No.82/1 of Ayan Poothakudi Village, Madurai Taluk, Madurai District and to fix the boundaries to his land by considering her representation dated 15.12.2016 within the time frame fixed by this Court.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondent.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.It is seen that the Petitioner has already approached this Court by way of filing a Writ Petition in W.P(MD)No.5786 of 2014 seeking for a Mandamus to survey the above said land based on her representation, dated 24.12.2013. It is further seen that in the said Writ Petition, an order came to be passed on 3.4.2014 directing the respondent to consider the said representation and pass orders thereon within the time stipulated therein.



5.The grievance of the Petitioner is that even though such order is passed, the respondent has not considered the said representation and measured the land in question. Therefore the present Writ Petition is filed seeking the relief as stated supra.

6.Considering the above facts and circumstances and considering the very fact that this Court has already directed the respondent to consider the representation of the Petitioner seeking for survey of the land, it is for the respondent to pass orders on the request of the Petitioner without further loss of time, if no such order is passed so far.

7.Accordingly, this Writ Petition is disposed of, without expressing any view on the merits of the claim made by the Petitioner, with a direction to the respondent to consider the representation of the Petitioner, dated 15.12.2016 and pass orders on the same, after hearing the rival parties, if any, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Madurai North Taluk,
Madurai District.

+ 1 CC TO Mr.S.SUKUMAR, ADVOCATE IN SR No. 2903
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 3073

VSN
TE/MR-VB : 02/02/2017 : 2P/4C

W.P(MD)No.763 of 2017

18.01.2017