



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P. (MD) No.6973 of 2018

Ramesh Kumar

... Petitioner

Vs.

1.The Commissioner,
Karaikudi Municipality,
Karaikudi.

2.The Town Surveyor,
Karaikudi Town,
Karaikudi.

3.The Inspector of Police
Karaikudi North Police Station,
Karaikudi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the second respondent to conduct survey and put up survey stone and consequently directing the third respondent to provide adequate police protection while constructing compound wall in Old Survey No.1339P, New T.S.No.1652/1, Block.47, Survey Ward No.3 in Karaikudi Town, Sivagangai District.

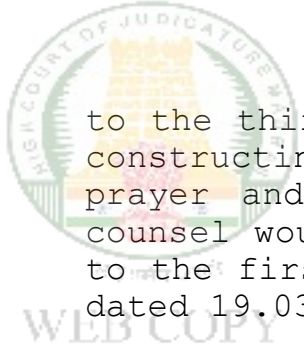
For Petitioner : Mr.R.M.Arun Swaminathan
For R1 & R2 : Mr.P.Mahendran
For R3 : Mr.M.Karuppasamy
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the second respondent to conduct survey and put up survey stone and consequently directing the third respondent to provide adequate police protection while constructing compound wall in Old Survey No.1339P, New T.S.No.1652/1, Block.47, Survey Ward No.3 in Karaikudi Town, Sivagangai District.

2. Heard the learned counsel appearing on either side.

3. According to the learned counsel appearing for the petitioner, the petitioner has made a representation to the first respondent to measure the petition mentioned property. Though the petitioner has sought for a direction to the second respondent to conduct survey and put up survey stone and consequential direction



to the third respondent to provide adequate police protection while constructing compound wall, the learned counsel has restricted his prayer and requested this Court to mold the prayer. The learned counsel would submit that it would suffice if a direction is issued to the first respondent to consider the petitioner's representation dated 19.03.2018 within a time frame fixed by this Court.

4. Mr.P.Mahendran, learned counsel takes notice for the respondents 1 and 2 and submits that if the representation is pending, the same may be considered on merits and in accordance with law after providing opportunity to the parties concerned.

5. In the light of the above submissions made by both sides, this Court, without expressing any opinion on merits, directs the first respondent to consider the petitioner's representation dated 19.03.2018 on merits and in accordance with law as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To,

1.The Commissioner,
Karaikudi Municipality,
Karaikudi.

2.The Town Surveyor,
Karaikudi Town,
Karaikudi.

3.The Inspector of Police
Karaikudi North Police Station,
Karaikudi.

+1cc to M/S.P.Mahendran, Advocate SR.No. 61001

+1cc to M/S.R.M.Arun Swaminathan, Advocate SR.No. 60791

W.P. (MD) No.6973 of 2018
11.04.2018

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CM/SV-MMS/SAR 17/12.04.2018/2P/6C