



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.15231 of 2018

Vanaja

... Petitioner

vs.

1.The Tahsildar
Melur Taluk Office
Melur, Madurai District

2.The Head Surveyor
Melur Taluk Office
Melur, Madurai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to survey the petitioner's land in T.S.No.88/2, Old Survey No.243/2 Pa, to an extent of 0.0068 sq.feets, situating in Block No.17, Ward No.C, Melur Town, Madurai District and consequently fix its boundaries as per the revenue records by considering the petitioner's applications, dated 07.06.2018, within a stipulated time.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader

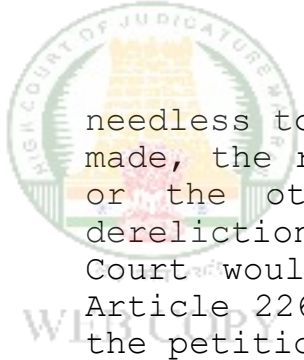
O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that her application dated 07.06.2018 seeking to survey her land comprised in T.S.No.88/2, Old Survey No.243/2 Pa, measuring an extent of 0.0068 sq.feets, situated at Block No.17, Ward No.C, Melur Town, Madurai District and to fix its boundaries as per the revenue records, has not been considered by the respondents till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is



needless to point out that whenever an application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application dated 07.06.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the rival claimant, namely, Sethuragavan and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

1.The Tahsildar,
Melur Taluk Office,
Melur, Madurai District.

2.The Head Surveyor,
Melur Taluk Office,
Melur, Madurai District.

+1CC to Mr.M.S.Jeyakarthic Advocate in SR.No.72766.

KRK
DS/SKN/SAR-4 :24.07.2018: 2P/4C

W.P. (MD) No.15231 of 2018
13.07.2018