



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.14509 of 2019

S.Pushpam

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Vilathikulam Taluk
Thoothukudi District.

2.The Surveyor,
Taluk Office,
Vilathikulam Taluk
Thoothukudi District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to survey the land in Survey No.1779/21 situated at Mettilpatti Village, Vilathikulam Taluk, Thoothukudi District on the basis of the petitioner's representation dated 27.06.2017.

For Petitioner :Mr.C.Suresh Kannan

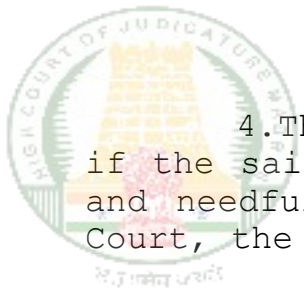
For Respondents :Mr.V.Anand
Government Advocate

ORDER

The prayer sought for in this writ petition is for a writ of mandamus to direct the respondents to survey the petitioner's land in Survey No.1779/21 situated at Mettilpatti Village, Vilathikulam Taluk, Thoothukudi District on the basis of her representation dated 27.06.2017.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3.The petitioner, in order to survey the land in S.No.1779/21 situated at Mettilpatti Village, and identify the boundaries, has given a representation to the respondents on 27.06.2017. Thereafter, reminders were given on 09.02.2018 and 29.05.2019. However, since no action has been taken by the respondents, the petitioner is before this Court with this writ petition with the aforesaid prayer.



4.The learned counsel for the petitioner would submit that, if the said representation is decided by the respondents on merits and needful is done within a time frame to be stipulated by this Court, the petitioner would be satisfied.

5.However, the learned Government Advocate would submit that, it seems that there has been a dispute between the petitioner's father and his brother, ie., the uncle of the petitioner, who is also the adjacent land owner, be that as it may, representation given by the petitioner, who claimed to have purchased the property from the father by sale deed dated 03.05.2013, would be decided by the first respondent on merits by conducting an enquiry between the petitioner and other claimants and accordingly, would do the needful with regard to the measuring of the land within a time frame to be stipulated by this Court.

6.Considering the said submissions made by both sides, this Court is inclined to dispose of the writ petition with the following direction:

That the first respondent is hereby directed to consider the representation of the petitioner dated 27.06.2017 and subsequent reminders dated 09.02.2018 and 29.05.2019 and pass orders thereon on merits and in accordance with law, of course, after hearing the petitioner and rival claimants, if any, 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(CS)

To

1.The Tahsildar,
Taluk Office,
Vilathikulam Taluk
Thoothukudi District.

2.The Surveyor,
Taluk Office,
Vilathikulam Taluk
Thoothukudi District.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-75153[F] dated 15/07/2019

+1 CC to M/s.SPL GP (SR-75179[F] dated 15/07/2019)

W.P. (MD) No.14509 of 2019
12.07.2019