



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.09.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.SUNDAR**

W.P(MD)No.19672 of 2019

Thamilarasi

... Petitioner

/Vs./

1.The District Collector,
Collectorate Office,
Tirunelveli District.

2.The Revenue Divisional Officer,
Sankarankovil,
Tirunelveli District.

3.The Commissioner,
Sankarankovil Municipality,
Tirunelveli District.

4.The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.

5.The Taluk Surveyor,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the the respondents No.1 to 5 to survey and mark the four boundaries of the petitioner's property in plot No.4 in Survey No.319/A/2 of an extent of 1518 sq.ft (south) Piramuthu Mudaliar house property, (east) P.Perumal Ammal Vagaiyara House property (west) Saraswathi and Lakshmi Property (north) East-West street situated at Kakkan Nagar, Arizon colony street, New ward 20, old Ward No.12 and 17, Sankarankoil Sub Registrar Office, Tirunelveli District, based on the petitioner's representation dated 13.06.2019.

For Petitioner : Mr.K.Sankar
for Mr.S.Selvakumar

For R-1,2,4 & 5 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

For R-3 : Mr.B.Arun
for Mr.P.Mahendran



ORDER

Mr.K.Sankar, representing counsel for counsel on record for writ petitioner is before this Court.

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2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of respondents 1,2,4 and 5. Mr.B.Arun, learned counsel accepts notice on behalf of respondent No.3.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's application dated 21.01.2019 and representation dated 13.06.2019, wherein writ petitioner has sought sketch, town survey number and fixing of boundaries ie., localizing for what according to her is immovable property acquired by her husband under a sale deed.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the third respondent is directed to dispose of the aforementioned application dated 21.01.2019 and representation dated 13.06.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the third respondent is the authority who shall consider the aforementioned application dated 21.01.2019 and representation dated 13.06.2019 made by the writ petitioner (page Nos.13 to 14 & Page Nos.15 to 22 of the typed set of papers forming part of the case file respectively).

7. The aforesaid application dated 21.01.2019 and representation dated 13.06.2019 shall be disposed of by the third respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the application and representation being considered by the third respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the third



respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's application and representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

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9. The proceeding / order of disposal shall be communicated by the office of the third respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The District Collector,
Collectorate Office, Tirunelveli District.

2.The Revenue Divisional Officer,
Sankarankovil, Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.

4.The Taluk Surveyor,
Sankarankovil Taluk,
Tirunelveli District.

+1 CC to M/s.P.MAHENDRAN, Advocate (SR-87162[F] dated 17/09/2019)

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-86688[F] dated 13/09/2019)

+1 CC to M/s.SPL GP (SR-86920[F] dated 16/09/2019)

Order made in
W.P (MD) No.19672 of 2019

Dated:
13.09.2019