



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16995 of 2019

WEB COPY

Subramanian

... Petitioner

-Vs-

1.The District Collector,
Madurai District.

2.The Tahsildar,
Office of the Tahsildar,
Melur, Madurai.

3.The Taluk Surveyor,
Melur, Madurai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent Survey and Measure, to fix the four boundaries of the petitioner property house site in Natham Nilavari Thittam comprised in Survey No.414/1 to an extent of 2 cents at plot No.23 situated at Pottapatti Village, Melur Taluk, Madurai, based on the petitioner's earlier representation on 01.10.2013, 11.02.2015 and also recent representation on 25.07.2019 to all the respondents and consider the petitioner's representation within a time stipulated by this Court.

For Petitioner : Mrs.K.Malathi

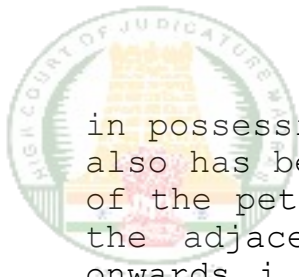
For Respondents : Mr.V.Anand, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 2nd respondent to Survey and Measure, to fix the four boundaries of the petitioner property house site in Natham Nilavari Thittam comprised in Survey No.414/1 to an extent of 2 cents at plot No.23 situated at Pottapatti Village, Melur Taluk, Madurai, based on the petitioner's earlier representation on 01.10.2013, 11.02.2015 and also recent representation on 25.07.2019 to all the respondents and consider the petitioner's representations within a time stipulated by this Court.

2.Heard Mrs.K.Malathi, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.The petitioner, in order to identify four boundaries after measuring the housing plot to the extent of 2 cents in plot No.23 comprised in Survey No.414/1 situated at Pottapatti Village, Melur Taluk, Madurai, which was assigned to the petitioner for landless poor Adi Dravidar category and accordingly, the petitioner had been



in possession and enjoyment of the said housing plot, where, a house also has been constructed by the Government, however, it is the case of the petitioner that the said housing plot is being encroached by the adjacent land owner, he had given representation from 2013 onwards i.e., on 01.10.2013, 11.02.2015 and recently on 25.07.2019 to the respondents to survey the land and identify four boundaries. Hence, the learned counsel appearing for the petitioner submits that, if those representations are considered by the 2nd respondent and needful is done within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4.I have heard the learned Government Advocate, who would submit that, the said representations of the petitioner dated 01.10.2013, 11.02.2015 and subsequent representation dated 25.07.2019 would be considered on merits, within a time frame by the 2nd and 3rd respondents.

5.Considering the prayer made by the petitioner and after having heard both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 2nd and 3rd respondents are hereby directed to consider the representations of the petitioner dated 01.10.2013 and 11.02.2015 and further reminder representation dated 25.07.2019 and do the needful for measuring the land and to identify the boundaries and pass final orders thereon, 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.

Sd/-

Assistant Registrar (Crl.side)

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

1.The District Collector,Madurai District.

2.The Tahsildar,Office of the Tahsildar,
Melur, Madurai.

3.The Taluk Surveyor,Melur, Madurai.

+1cc to M/s.K.Malathi, Advocate, Sr.No.79155

+1cc to Spl.Govt.Pleader, Sr.No.79782

Order made in

W.P. (MD) No.16995 of 2019

Dated:01.08.2019

SMA/18/12/19/2P/6C

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