



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2019

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

W.P. (MD) No.17058 of 2019

P.Chellammal

...Petitioner

-Vs-

1.The Tahsildar,  
Usilampatti Taluk, Madurai District.

2.The Head Surveyor,  
Usilampatti Taluk,  
Madurai District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to survey the petitioner's land under Re-survey No.234/19A1 and 234/19B, under patta No.2740 situated at Seemanuthu Village, Usilampatti Taluk, Madurai District and to demarcate the four boundaries as per the FMB sketch by considering the petitioner's application dated 20.06.2019 within the time fixed by this Court.

For Petitioner : Mr.K.R.Laxman  
For Respondents : Mr.B.Bhagawathi  
Government Advocate

**ORDER**

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondents to survey the petitioner's land under Re-survey No.234/19A1 and 234/19B, under patta No.2740 situated at Seemanuthu Village, Usilampatti Taluk, Madurai District and to demarcate the four boundaries as per the FMB sketch by considering the petitioner's application dated 20.06.2019 within the time fixed by this Court.

2.Heard Mr.K.R.Laxman, learned counsel appearing for the petitioner and Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents.

3.With the consent of both sides, this writ petition is being disposed of at the admissions stage itself.

4.The land at Re-survey No.234/19A1 and 234/19B, under patta No.2740 situated at Seemanuthu Village, Usilampatti Taluk, Madurai



District, is joint property of the petitioner and other legal heirs and in order to survey the land and identify the four boundaries, the petitioner had given a representation to the first respondent on 20.06.2019. Hence, the learned counsel appearing for the petitioner submits that, if the said representation is decided on merits, after hearing all the owners of the property and order to that effect is passed, within a time to be stipulated by this Court, the petitioner would be satisfied.

5.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner, dated 20.06.2019 would be decided on merits, after hearing the concerned parties, within a time frame.

6.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to consider the representation of the petitioner, dated 20.06.2019 and pass orders thereon, on merits and in accordance with law, after hearing the petitioner as well as the other owners of the property. Accordingly, final order shall be passed by the first respondent, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Tahsildar,  
Usilampatti Taluk, Madurai District.

2.The Head Surveyor,  
Usilampatti Taluk,  
Madurai District.

+1 CC to M/s.SPL GP ( SR-79695[F] dated 05/08/2019 )

+1 CC to M/s.K.R.LAXMAN, Advocate ( SR-79870[F] dated 06/08/2019 )

W.P. (MD) No.17058 of 2019

02.08.2019

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