



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2019**

CORAM:

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

W.P(MD)No.19359 of 2019

Umadevi

... Petitioner

/Vs./

1.The Tasildar,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to survey and fix the boundary to the properties in plot numbers 35, 36 and 37, in survey numbers 98/16, 98/17 and 98/18, Malligai Residency, Peraiyur Taluk, Madurai District by considering the petitioner's application dated 22.05.2019 within the stipulated time.

For Petitioner : Mr.M.Manivel Pandian
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.M.Manivel Pandian, learned counsel on record for writ petitioner is before this Court.

2. Mr.Ayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of both respondents.

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 representation dated 22.05.2019 wherein writ petitioner has sought to have her property surveyed and boundaries fixed or in other words, wherein the writ petitioner has made a request for localizing her property.



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 respondents are directed to dispose of the aforementioned representation of the writ petitioner, dated 22.05.2019, details of which have been alluded to supra. Writ petitioner undertakes to pay necessary prescribed fee and expenses in this regard.

6. Learned State counsel submitted that the respondents are the authorities who shall consider the aforementioned representation dated 22.05.2019 made by the writ petitioner (page No.31 of the typed set of papers forming part of the case file).

7. It is made clear that in the course of the representation being considered by the respondents, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the fourth 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 representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The aforesaid representation dated 22.05.2019 shall be disposed of by the respondents 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.

9. The proceeding / order of disposal shall be communicated by the office of the respondents to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar



To

1.The Tasildar,
Peraiyur Taluk,
Madurai District.

2.The Taluk Surveyor,
Peraiyur Taluk,
Madurai District.

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-85725[F] dated 06/09/2019)

+1 CC to M/s.GP (SR-85900[F] dated 09/09/2019)

Order made in
W.P(MD)No.19359 of 2019
Dated:06.09.2019

SM

MS/23.09.2019/3P.5C