



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.19479 of 2019

WEB COPY

M.Bhuvaneshwari

... Petitioner

vs.

1.The Tahsildar,
Melur-Taluk,
Madurai District.

2.The Taluk Surveyor,
Urangampatti,
Melur 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 second respondent to survey the land belongs the petitioner land in 154/15B to an extent of 0.06.0 acres i.e., 15 cents at Urangampatti Village, Melur Taluk, Madurai District and mark the boundaries and provide the report to petitioner based on petitioner's application dated 09.07.2019 in accordance with law within time stipulated by this Court.

For Petitioner : Mr.M.Vigneshkumar

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.M.Vigneshkumar, 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 all two 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 09.07.2019 wherein the writ petitioner has sought to have (what according to him is his land) surveyed, measured and boundaries fixed. In other words, writ petitioner has sought to have what according to him is his land to be localised. Writ petitioner undertakes to pay necessary charges and prescribed fees in this regard.



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 second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 09.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 09.07.2019 made by the writ petitioner (page Nos.26 to 27 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 second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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 09.07.2019 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight 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 second 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 (AD-I)

// True Copy //

Sub Assistant Registrar (CS)



Tsg

To

1.The Tahsildar,
Melur-Taluk,
Madurai District.

2.The Taluk Surveyor,
Urangampatti,
Melur Taluk,
Madurai District.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-85961[F] dated
09/09/2019)

+1 CC to M/s.GP (SR-86113[F] dated 10/09/2019)

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