



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.09.2019**

CORAM:

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

W.P (MD) No.19669 of 2019

WEB COPY

K.Chittu

... Petitioner

/Vs./

1.The District Collector,
Collectorate Office Campus, Sivagangai District.

2.The Tahsildar,
Devakottai Taluk, Sivagangai District.

3.The Town Surveyor,
Devakottai Taluk, Sivagangai District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 1st respondent to give appropriate directions to the 2nd and 3rd respondents to consider the petitioner's representation dated 30.08.2019 and consequently survey the petitioner's land to measure and demarcate by fixing the boundary in town survey ward "M" Block 2 Town Survey No.22 to an extent of 0.0530.5 square feet and extend 5710 square feet of vacant site situated at Devakottai Taluk, Sivagangai District, within time frame fixed by this Court.

For Petitioner : Ms.M.Viveka
for Mr.G.Pradeep Dinakaran
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Ms.M.Viveka, learned counsel on record for writ petitioner is before this Court.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of all the three (3) 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 30.08.2019 wherein writ petitioner has requested land (which according to writ petitioner belongs to her) to be measured, demarcated and boundaries fixed in other words



localised. Writ petitioner undertakes to pay necessary/prescribed fees/charges 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 third respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 30.08.2019, 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 representation dated 30.08.2019 made by the writ petitioner (page Nos.16 to 18 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 30.08.2019 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 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 representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

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 (CO)

// True Copy //

Sub Assistant Registrar (CS)



To ஸ்ரீமதி ஸ்ரீமதி

1.The District Collector,
Collectorate Office Campus, Sivagangai District.

2.The Tahsildar,
Devakottai Taluk, Sivagangai District.

3.The Town Surveyor,
Devakottai Taluk, Sivagangai District.

+1 CC to M/s.PRADEEP DINAKARAN, Advocate (SR-86671[F] dated 13/09/2019)

+1 CC to M/s.SPL GP (SR-86921[F] dated 16/09/2019)

Order made in
W.P (MD) No.19669 of 2019

Dated:
13.09.2019

KM/ (20.09.2019) 3P 6C