



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

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

W.P (MD) No.19899 of 2019

WEB COPY

Perumal

... Petitioner

/Vs./

1.The Tahsildar,
Eral Taluk Office,
Eral, Thoothukudi District.

2.The Taluk Surveyor,
Eral Taluk Office,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 herein to measure the lands and fix the four boundary stones in respect of petitioner's lands comprised in Survey No.317/4B vide patta No.3423 situated at Vadakku Theru, Mela Vellamadam, Vellamadam Village, Eral Taluk, Thoothukudi District by considering petitioner's application dated 31.07.2019 within the time stipulated by this Court.

For Petitioner : Mr.S.Mandhiralingeswaran
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.S.Mandhiralingeswaran, 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 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 31.07.2019, wherein writ petitioner has made a request that lands, which according to him are owned by him (having acquired the same vide sale deed dated 25.03.2019) to be surveyed, measured and boundaries be marked in other words, it is a plea for localising the property. The writ petitioner undertakes to pay necessary charges and prescribed fee in this



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 31.07.2019, 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 31.07.2019 made by the writ petitioner (page No.13 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 31.07.2019 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 (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 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.

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 (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 (P&A)

// True Copy //

Sub Assistant Registrar (CS)



1.The Tahsildar,
Eral Taluk Office,
Eral, Thoothukudi District.

2.The Taluk Surveyor,
Eral Taluk Office,
Thoothukudi District.

+1 CC to M/s.S.MANDHIRALINGESWARAN, Advocate (SR-87115[F] dated 17/09/2019)

+1 CC to M/s.SPL GP (SR-87563[F] dated 18/09/2019)

Order made in
W.P(MD)No.19899 of 2019

Dated:
17.09.2019

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