



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.09.2019**

CORAM:

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

W.P (MD)No.20655 of 2019

Arumugam

... Petitioner

Vs.

1.The Tahsildar,
Palani Taluk,
Dindigul District.

2.The Taluk Surveyor,
Palani Taluk Office,
Dindigul 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 demarcate the petitioner's land bearing in Survey No.112/1A of an extent of 3 Acre 58 cents situated at Kanakkanpatti Village, Palani Taluk, Dindigul District by considering the petitioner's representation dated 16.07.2019 within a time stipulated by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai
for Mr.R.Jegadeeswaran

For Respondents : Mr.B.Bhagawathi
Government Advocate

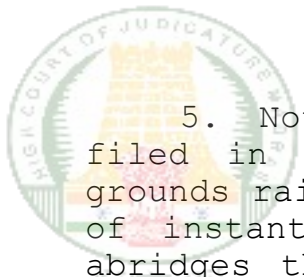
ORDER

Mr.A.Prasanna Rajadurai, representing learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagawathi, learned Government Advocate, 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 16.07.2019 wherein a request has been made for measuring, surveying and fixing boundaries of land, which according to writ petitioner belongs to him. To be noted, writ petitioner undertakes to pay necessary charges and prescribed fee in this regard, if not already paid.



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 first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 16.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 16.07.2019 made by the writ petitioner (page No.8 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 16.07.2019 shall be disposed of by the first 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 first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first 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 first 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. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

SSL

To

1.The Tahsildar,
Palani Taluk,
Dindigul District.



2.The Taluk Surveyor,
Palani Taluk Office,
Dindigul District.

+1 CC to M/s.GP (SR-89829[F] dated 26/09/2019)

+1 CC to M/s.R.JEGADEESWARAN, Advocate (SR-89569[F] dated 26/09/2019)

W.P (MD) No.20655 of 2019
25.09.2019

SSL

KK/SAR/04.10.2019/3P-5C/