



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2019**

CORAM:

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

WEB COPY

W.P(MD)No.20834 of 2019

N.Murugalakshmi

... Petitioner

/Vs./

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar (Patta),
Tahsildar Office,
Aathur, Dindigul District.

3.The Surveyor,
Tahsildar Office,
Aathur, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to measure my land of the petitioner in Old S.No.137/A3 A2 to the extent of East-West 30 feet both sides and South - North 75 feet both sides (i.e.,)2250 Square feet / 209.03 square meter, registered a Dindigul Sub Registrar Office limit, Aathur Main Road, Kanakupillai Street Ward No.4, Dindigul.

For Petitioner : Mr.S.Saji Bino

For Respondents : Mr.M.Pandiarajan

Additional Government Pleader

ORDER

Mr.S.Saji Bino, learned counsel on record for writ petitioner is before this Court.

2. Mr.M.Pandiarajan, learned Additional Government Pleader, accepts notice on behalf of all three 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 23.12.2016 wherein writ petitioner has sought, what according to her is land belonging to her to be measured,



surveyed and boundaries fixed or in other words localised. The learned counsel for the writ petitioner, on instructions, submits that the writ petitioner undertakes to pay necessary fees and prescribed charges 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 third respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 23.12.2016, 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 23.12.2016 made by the writ petitioner (page No.34 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 23.12.2016 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 (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

/TRUE COPY/

Sub Assistant Registrar

ta



To

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar (Patta),
Tahsildar Office,
Aathur, Dindigul District.

3.The Surveyor,
Tahsildar Office,
Aathur, Dindigul District.

+1 CC to M/s.GP (SR-90226[F] dated 27/09/2019)

+1 CC to M/s.S. SAJI BINO, Advocate (SR-90631[F] dated 01/10/2019)

Order made in
W.P(MD)No.20834 of 2019

Dated:
26.09.2019

JM/30.10.2019/3P/6C