



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

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

W.P(MD)No.21272 of 2019

T.Mareeswari

... Petitioner

/vs./

1.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

2.The Head Surveyor,
Srivilliputhur Taluk,
Virudhunagar District.

3.Dhivaan Batcha

4.Shanmugavel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to survey the property of the petitioner in Survey No.893/2A2A2 to the extent of 0.2.30 hectares in Cunnoor Village in Srivilliputhur Taluk, Virudhunagar District to the extent of 972 sq.ft in item no.1 and 1452 sq.ft in item No.2 under the registered sale deed dated 30.08.2011 in document No.3021/2011 on the file of the Sub Registrar, Cunnoor, Virudhunagar with reference to the patta and the Field Map and demarcate the four boundaries by planting survey stones.

For Petitioner : Ms.S.Mahalakshmi

For R-1 & R-2 : Mr.Ayiram K.Selvakumar

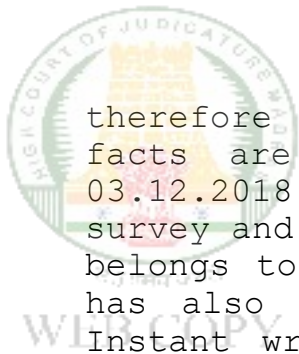
Additional Government Pleader

ORDER

Ms.S.Mahalakshmi, learned counsel on record for writ petitioner and Mr.Ayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of respondents 1 and 2 are before this Court.

2.From the case file placed before this Court and from the submissions made before this Court, it comes to light that this writ petition can be disposed of by passing an order which is not adverse to the rights of the respondents 3 and 4, who are the private respondents. Therefore, with consent of learned counsel for writ petitioner and learned Additional Government Pleader for official respondents, main writ petition is taken up, heard out and is being disposed of.

3.The entire matter turns on a very narrow compass and



therefore short facts shorn of elaboration will suffice. Short facts are that the writ petitioner made an application dated 03.12.2018 to the first respondent with the prayer to measure, survey and fix boundaries of land which according to writ petitioner belongs to her. On the same day i.e., 03.12.2018, writ petitioner has also remitted the requisite fee vide challan on even date. Instant writ petition has been filed complaining of inaction and seeking mandamus qua aforesaid application.

4.Today, learned State counsel on instructions submits that Srivilliputhur Taluk has now been bifurcated into two taluks and they are Srivilliputhur Taluk and Vathrairuppu Taluk. This Court is informed that 'Vathrairuppu Taluk' is also referred to as 'Watrap Taluk' as it stood during the colonial era. This Court is informed that such bifurcation with effect from 01.03.2019. This Court is also informed by learned State counsel that land which the writ petitioner has sought to be localised now falls within the territorial jurisdiction of Watrap Taluk post bifurcation on 01.03.2019.

5.In the aforesaid backdrop, learned State counsel submits that if writ petitioner makes a fresh application to the jurisdictional Tahsildar and jurisdictional Head Surveyor in Watrap Taluk and remits necessary charges and fee, the same will be considered in accordance with law within twelve weeks from the date of submission of representation and remittance of fee/charges.

6.The above submission is recorded.

7.Writ petitioner's counsel undertakes to make a fresh representation to the aforesaid jurisdictional Tahsildar and jurisdictional Head Surveyor within a fortnight from the date of receipt of a copy of this order.

8.Instant Writ Petition is disposed of recording the above submissions. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

rmk



To

1.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

2.The Head Surveyor,
Srivilliputhur Taluk,
Virudhunagar District.

+1 CC to M/s.S.MAHALAKSHMI, Advocate (SR-91580[F] dated
09/10/2019)

+1 CC to M/s.GP (SR-91630[F] dated 09/10/2019)

W.P (MD) No.21272 of 2019
04.10.2019

KK/SAR/24.10.2019/3P-5C/