



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P. (MD)No.21553 of 2019

N.Menaka Gandhi

... Petitioner

Vs

1.The Tahsildar,
Mudhukulathur Taluk Office,
Mudhukulathur,
Ramanathapuram District.

2.The Land Surveyor,
Mudhukulathur Taluk Office,
Mudhukulathur,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to survey the petitioner's land in Plot No.52, which is comprised in Survey Nos.277/6, 277/8, 277/9 situated in Ambedkar Nagar, Vadakkur, Keela Mudhukulathur Group, Mudhukulathur Taluk, Ramanathapuram District and earmark the boundaries of the petitioner's land, based on the representation dated 24.09.2019.

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

ORDER

Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of the respondents. By consent, this writ petition is taken up for final disposal at the time of admission itself.

2. According to the petitioner, he has submitted an application dated 24.09.2019 enclosing payment challan, to the respondents requesting to survey her land in Plot No.52, comprised in S.Nos.277/6, 277/8, 277/9 situated at Ambedkar Nagar, Vadakkur, Keela Muthukulathur Group, Mudhukulathur Taluk, Ramanathapuram District and earmark its boundaries. Pending the said application, the neighbour of the petitioner's land tried to construct a building by encroaching her land. Hence, the petitioner has no other option except to approach this Court with the present writ petition.

Accordingly, the Court is hereby directing the respondents to survey and



earmark the boundaries of the said property, based on her application dated 24.09.2019.

3. Heard the learned counsel on either side and perused the documents filed in the form of typed set of papers.

WEB COPY

4. Though the petitioner has submitted her application only on 24.09.2019 and without giving reasonable time to the respondents to look into the same, she rushed to this Court with the present writ petition, taking note of the fact that the neighbour of the petitioner tried to encroach upon her land, this Court, without expressing any opinion with regard to the claim of the petitioner, directs the first respondent to consider the application/representation of the petitioner dated 24.09.2019, with regard to survey and earmark the boundaries of the subject mentioned property, on payment of necessary charges, if not already paid by the petitioner, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner as well as all other interested parties, if any.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The Tahsildar,
Mudhukulathur Taluk Office,
Mudhukulathur, Ramanathapuram District.

2.The Land Surveyor,
Mudhukulathur Taluk Office,
Mudhukulathur,
Ramanathapuram District.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-91697[F] dated 10/10/2019)

W.P. (MD)No.21553 of 2019

10.10.2019