



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.9719 of 2020

R.Sumathi

... Petitioner

Vs.

1.The Thasildar,
Madurai South Taluk,
Madurai District.

2.The Head Surveyor,
Madurai South Taluk,
Madurai District.

3.T.P.M.Lakshmanan

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents to survey the land in Survey No.103/3 situated at Kochadai Village, Madurai South Taluk, Madurai District by considering the petitioner's representation dated 12.03.2020 within the time frame stipulated by this Court.

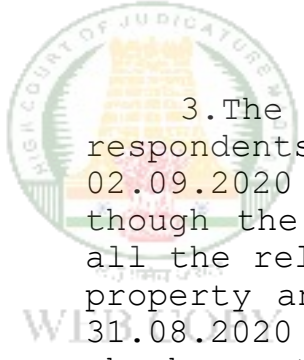
For Petitioner : Mr.C.Prithviraj

For Respondents : Mr.P.Kannidevan
Additional Government Pleader

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the respondents to dispose of her representation dated 12.03.2020 within the time frame stipulated by this Court.

2.According to the petitioner, she made a representation dated 12.03.2020 to the respondents 1 and 2 to survey the land and fix the boundaries in Survey No.103/3 situated at Kochadai Village, Madurai South Taluk, Madurai District. Since no action has been taken on the side of the respondents 1 and 2, the petitioner has filed the present Writ Petition.



3.The learned Additional Government Pleader appearing for the respondents 1 and 2 has produced a copy of the proceedings dated 02.09.2020 before this Court, wherein, it had been stated that though the first respondent had directed the petitioner to produce all the relevant documents to establish her right over the aforesaid property and she was asked to appear for enquiry on 28.08.2020 and 31.08.2020 and the notices have been sent through registered post, she has not produced any relevant documents.

4.In reply, the learned counsel appearing for the petitioner undertakes that the petitioner will co-operate with the enquiry and produce all the relevant documents before the first respondent, on receipt of the notice issued from him.

5.Recording the aforesaid submission made by the learned Additional Government Pleader, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:-

i) The first respondent shall issue a fresh notice to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

ii) On receipt of such notice, the petitioner shall furnish all the relevant documents to the first respondent within a period of one week thereafter.

iii) If any such documents has been submitted by the petitioner, the first respondent is directed to consider the representation of the petitioner dated 12.03.2020 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and other interested parties, if any.

iv) The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

v) The petitioner is also directed to co-operate for enquiry.

6.This Writ Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



WEB COPY

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Thasildar,
Madurai South Taluk,
Madurai District.

2.The Head Surveyor,
Madurai South Taluk,
Madurai District.

+1 CC to M/s.GP (SR-16244[F] dated 08/09/2020)

Order made in
W.P. (MD) No.9719 of 2020

Dated:
03.09.2020

NR(14.09.2020) 3P 4C