



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.08.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) Nos.26531 of 2019 & 9209 of 2020

S.Muthiah : Petitioner in W.P.(MD) No.26531 of 2019

S.Ramaiah : Petitioner in W.P.(MD) No.9209 of 2020

Vs

1. The Assistant Commissioner,
Palayamkottai Zone,
Tirunelveli Corporation,
Tirunelveli.

2. The Tahsildar,
Palayamkottai Taluk,
Palayamkottai.

3. The Taluk Land Surveyor,
C/o. the Tahsildar,
Palayamkottai Taluk,
Palayamkottai.

: Respondents in both W.Ps.,

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to conduct survey of the Punja land property comprised in Town Survey No.4/2B, old Survey No.81/2, admeasuring 4 Acres 41 cents situate at V.M.Chatram Village, Palayamkottai Taluk, Tirunelveli District for fixing correct boundaries based on the petitioners' representation dated 05.12.2019 and 04.08.2020.

in W.P. (MD) No.26531 of 2019

For Petitioner : Mr.K.Anand
For R1 : Mr.Aayiram K.Selvakumar
Standing Counsel
For R2 & R3 : Mr.P.Kannidevan
Additional Government Pleader



in W.P.(MD) No.9209 of 2020

For Petitioner : Mr.M.Nallamuthu

For R1 : Mr.Aayiram K.Selvakumar
Standing Counsel

For R2 & R3 : Mr.P.Kannidevan
Additional Government Pleader

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COMMON ORDER

These Writ Petitions are filed to direct the respondents to conduct survey in the property in S.No.4/2B, old S.No.81/2, admeasuring 4 acres 41 cents situated at V.M.Chatram Village, Palayamkottai Taluk, Tirunelveli District for fixing correct boundaries.

2.According to the petitioners, with the relief sought for in the prayer, though they made representations dated 05.12.2019 and 04.08.2020 to the respondents, so far, no action has been taken. Hence, left with no other alternative, the petitioners have filed the present writ petitions.

3.When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents 2 and 3, on instructions, would submit that the petitioners have not cooperated for enquiry.

4.In reply, the learned counsel appearing for the petitioners on either side jointly would submit that the survey number of the petition mentioned property has been wrongly mentioned in the petitioners' representation and that therefore, the learned counsel requested this Court liberty may be given to the petitioners to file fresh representations through on-line before the respondents to workout their remedy.

5.Considering the facts and circumstances of this case and in view of the request made by the learned counsel for the petitioners, this Court is inclined to pass the following directions:-

i) the petitioners are directed to submit fresh representations through on-line before the respondents to workout their remedy, as expeditiously as possible;

ii) on receipt of such representations, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law, at the earliest;



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6. These Writ Petitions are disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Assistant Commissioner,
Palayamkottai Zone,
Tirunelveli Corporation,
Tirunelveli.
2. The Tahsildar,
Palayamkottai Taluk,
Palayamkottai.
3. The Taluk Land Surveyor,
C/o. the Tahsildar,
Palayamkottai Taluk,
Palayamkottai.

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