



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8099 of 2021

WEB COPY

N.Meera Mydeen

...Petitioner

Vs.

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

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

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 17.03.2021 to measure the land owned by the petitioner in Survey No.90/1B1, situated at Silaiman Village Group, Madurai South Taluk, Madurai District, admeasuring about 17 cents and fix the four boundaries with the help of the second respondent.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.M.Rajarajan

Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to act upon the representation made by the petitioner on 17.03.2021, wherein, the petitioner has sought for the survey of the subject property and for fixing the boundaries.

2. The case of the petitioner is that originally the subject property measured an extent of 20 cents. The acquisition proceedings were initiated by the Highways Department and three cents of land were acquired. The further case of the petitioner is that the balance 17 cents of land remains within the ownership of the petitioner and his family members. The petitioner, therefore, made a representation before the respondents by paying necessary charges seeking for the survey and for fixing the boundaries with regard to the remaining properties in possession and enjoyment of the family members. Since the same was not acted upon, the present Writ Petition has been filed before this Court seeking for appropriate directions.



3. Heard Mr.V.Kannan, learned Counsel appearing on behalf of the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents to act upon the representation made by the petitioner on 17.03.2021 on its own merits and in accordance with law and take a decision with regard to the survey of the subject property, within a period of four (4) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

5. The petitioner is directed to make a fresh representation to the respondents along with all the relevant documents and also a copy of this order.

6.The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

/ True Copy/

/ /2021

Sub Assistant Registrar(CS)

Tsg

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 Tahsildar,
Madurai South Taluk,Madurai District.

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

+1 CC to M/s.SPL GP (SR-16930[F] dated 21/04/2021)

Order made in
W.P. (MD) .No.8099 of 2021

20.04.2021