



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14932 of 2021

S.Maheswari

... Petitioner

Vs.

1.The Special Tahsildar,
Adi Dravidar and Tribal Welfare Department,
Nilakkottai Taluk, Dindigul District.

2.The Taluk Surveyor,
Nilakkottai Taluk, Dindigul District.

3.The Inspector of Police,
Nilakkottai Police Station,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to take necessary steps to measure the land and fix the boundaries bearing S.F.Nos.18/3A, 19/1B and 19/2 in Patta No.146 in proceedings of the first respondent in Ne.Mu.1626/95/A to an extent of 0.02 cent situated at Nilakkottai dated on 29.08.2018 belonging to the petitioner with the necessary police protection, by considering the petitioner's representation dated 11.08.2021 within a stipulated time in accordance with law.

For Petitioner : Mr.M.Prabu
For Respondents : Mr.R.Baskaran,
Counsel for State
for R-1 to R-3

ORDER

The petitioner seeks the measurement of the land bearing S.F.Nos.18/3A, 19/1B and 19/2 at Nilakkottai on the basis of the petitioner's representation dated 11.08.2021.

2. The petitioner states that the aforesaid land was allotted to the petitioner under a scheme for grant of free house site patta to eligible persons. On account of the fact that the boundaries of the property had not been marked at the time of grant of patta, the petitioner claims that she has been unable to construct a house thereon. In such circumstances, a representation dated 11.08.2021 was submitted to the respondents. The present Writ Petition is filed in view of the failure of such respondents to act thereon.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's application may be considered and disposed of on



merits.

4. The petitioner has enclosed a copy of the free house site patta issued to her on 29.08.2018. A copy of the representation and proof of remittance of necessary charges are also enclosed. Therefore, the petitioner is entitled to the consideration and disposal of her representation.

5. Accordingly, without going into the merits of the matter, the first and second respondents herein are directed to consider the petitioner's representation dated 11.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and the owners of adjoining properties who may be affected by the conduct of a survey and by the fixation of boundaries. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.14932 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// 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 Special Tahsildar,
Adi Dravidar and Tribal Welfare Department,
Nilakkottai Taluk, Dindigul District.

2.The Taluk Surveyor,
Nilakkottai Taluk, Dindigul District.

3.The Inspector of Police,
Nilakkottai Police Station, Dindigul District.

+1 CC to M/s.GP (SR-27185[F] dated 25/08/2021)

+1 CC to M/s.M.PRABU, Advocate (SR-27447[F] dated 26/08/2021)

W.P(MD)No.14932 of 2021

24.08.2021

RD(2.09.2021) 2P 6C

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