



W.P.(MD).No.21755 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21755 of 2022

Murugan

... Petitioner

vs.

1.The Tahsildar,
Vadipatti Taluk Office,
Vadipatti,
Madurai District.

2.The Taluk Surveyor,
Vadipatti Taluk Office,
Vadipatti,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to conduct survey the property in Survey Nos.679B/1A and 679B/2B for a extent of 0.66.0 and 0.17.5 Hectares (Total extent of 2 Acres and 6 Cents) situated at Melakkal Village, Vadippatti Taluk, Madurai District, on the basis of the petitioner's application dated 03.08.2022, within a time frame fixed by this Court.



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For Petitioner : Mr.M.Palani
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the second respondent to survey the property in Survey Nos. 679B/1A and 679/2B to an extent of 0.66.0 and 0.17.5 hectares (total extent of 2 acres and 6 cents) situated at Melakkal Village, Vadippatti Taluk, Madurai District, on the basis of the petitioner's application, dated 03.08.2022.

2. Heard Mr.M.Palani, learned counsel for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that he has purchased the property in S.Nos.679B/1A and 679B/2B to an extent of 0.66.0 and 0.17.5



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hectares (total extent of 2 acres and 6 cents) situated at Melakkal Village, Vadipatti Taluk, Madurai District from one Ganesan and the Patta stands in the name of the vendor viz. Ganesan. From the date of purchase, the petitioner is in possession and enjoyment of the same and he wanted to fix four boundaries for better enjoyment of the property. Therefore, he made an application to the first respondent on 03.08.2022, for surveying the property in S.Nos.679B/1A and 679B/2B and fix four boundaries. Again, he sent a reminder representation to the respondents herein on 02.09.2022. But, no response from the respondents. Hence, the petitioner has approached this Court by filing this writ petition.

4. The learned counsel appearing for the petitioner would submit that it would suffice to issue direction to the second respondent to consider the petitioner's representation, dated 03.08.2022.

5. The learned Special Government Pleader appearing for the respondents has no objection for such an order being passed by this Court.



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6. Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the petitioner's representation dated 03.08.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of sixteen weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

14.09.2022

Index: Yes/No
Internet: Yes/No

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To

1. The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam
Theni District.

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2. The Firka Surveyor,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.



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V.BHAVANI SUBBAROYAN,J.

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