



W.P.(MD).No.24681 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24681 of 2022

Backiyalakshmi

... Petitioner

vs.

1.The Tahsildar,
Ettaiyapuram Taluk,
Tuticorin District.

2.The Surveyor,
Ettaiyapuram Taluk,
Tuticorin District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to survey the land in Survey No.709/1A1A1A1A1A to an extent of 15 cents situated at Ettaiyapuram, Ettaiyapuram Taluk, Tuticorin District and fix the boundary, by considering the petitioner's application, vide payment of Challan dated 06.05.2022, within the time fixed by tis Court.



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For Petitioner : Mr.K.Sathish Kumar
For Respondent : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to survey the land in Survey No.709/1A1A1A1A1A to an extent of 15 cents, situated at Ettaiyapuram, Ettaiyapuram Taluk, Tuticorin District and fix the boundary, by considering the petitioner's application.

2. Heard Mr.K.Sathish Kumar, learned counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that her husband has purchased the property in Survey No.709/1A1A1A1A1A to an extent of 15 cents situated at Ettaiyapuram, Ettaiyapuram Taluk, Tuticorin District through sale deed, dated 06.05.1985. The petitioner's husband died on



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24.05.2018. Since wild weeds and thorns grown in the said property, the petitioner decided to put up a fence. Hence, on 06.05.2022, she paid necessary amount to the Tahsildar, Ettaiyapuram Taluk and the Surveyor to survey and demarcate the property. But the respondents did not take any steps to survey the land. Hence, she has made a representation to the respondents on 27.09.2022. Since the said representation has not been considered so far, the present writ petition is filed.

4. It appears that the petitioner has made a representation dated 27.09.2022 seeking for such relief. Therefore, it is for the respondents to consider the said representation and pass orders on the same on merits and in accordance with law.

5. This Court, at this stage, is not expressing any opinion on the claim made by the petitioner. Accordingly, this writ petition is disposed of only with a direction to the respondents to consider the representation of the petitioner, dated 27.09.2022 and pass orders on the same on merits and in accordance with law, after hearing the parties concerned, within a



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period of twelve weeks from the date of receipt of a copy of this order.

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No costs.

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Index: Yes/No

Internet: Yes/No

akv

To

1.The Tahsildar,
Ettaiyapuram Taluk,
Tuticorin District.

2.The Surveyor,
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V.BHAVANI SUBBAROYAN,J.

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