



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2021

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No. 17744 of 2021

Valli

...Petitioner

Versus

1. The Tahsildar.
Mettur, Salem District.
2. The Taluk Surveyor,
Mettur, Salem District.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents herein to survey the property comprised in SF.No.202/6B2, Grama Natham, Moolakadu Village, Mettur Taluk, Salem District, based on the sale deed dated 22.09.2020 registered at Sub Registrar Office at Mettur in Document No.2510/2020 and fix boundaries stones by considering the representation of the petitioner herein dated 19.09.2020 within a reasonable time as fixed by this Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr. Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondents herein to survey the property comprised in S.F.No.202/6B2, Grama Natham, Moolakadu Village, Mettur Taluk, Salem District, based on the sale deed, dated 22.09.2020 registering on the file of Sub Registrar Office, Mettur, in Document No.2510/2020 and to fix boundaries of stones by considering the representation of the petitioner, dated 19.09.2020 within a reasonable time as fixed by this Court.

2. The case of the petitioner is that she has purchased the property comprised in SF.No.202/6B2, Grama Natham,



Moolakadu Village, Mettur Taluk, Salem District, measuring to an extent of 1527sqft., by way of sale deed dated 22.09.2020. Initially, while purchasing the said property the Revenue Authorities maintained Joint Patta in SF.No.202/2B and in the said survey number, the name of the vendor namely Selvi was found along with other pattadars. Later, based on the respective title deeds individual patta has been issued by subdividing the survey numbers and as such, the first respondent issued separate patta to the aforesaid property in Patta No.693 and assigned new survey number as 202/6B2. After execution of the sale agreement with the vendor of the petitioner, she made an application before the first respondent/Tahsildar on 19.09.2020 to survey the aforesaid property and she has also paid necessary charges to survey the aforesaid property and the same also enclosed along with the said application, but the respondents has not taken any steps to survey the aforesaid property. Hence, the petitioner has come forward with the present writ petition before this Court seeking for appropriate relief.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the petitioner's representation dated 19.09.2020 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 19.09.2020 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar



To

1. The Tahsildar.
Mettur, Salem District.

2. The Taluk Surveyor,
Mettur, Salem District.

+1cc to Government Pleader SR.No.43064

W.P.No. 17744 of 2021

BP (CO)
GMY (11/10/2021)