



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.4949 of 2021
and W.M.P. (MD)No.4016 of 2021

Subbulakshmi

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagr.

2.The Tahsildar,
Sattur Taluk,
Virudhunagar District.

3.The Inspector of Survey,
Sattur Taluk,
Virudhunagar District.

.. Respondents

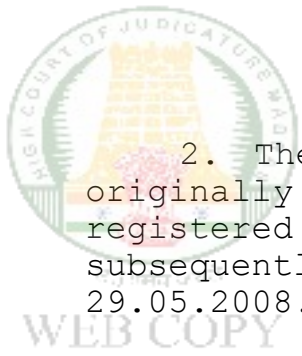
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 2 and 3 to survey and measure under the Survey and Boundaries Act Provisions with the help of police and revenue subordinates by sub-divisions and marking field line with sub-division numbers in S.No.118, 6.08 acres (2.46.0 hecs) into western 3.08 acres (1.24.5 hecs) and eastern 3 acres (1.21.5 hecs) by carrying out the same in the relevant revenue records, in O.Mettupatti revenue village in Sattur Taluk in Virudhunagar District.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.P.Mahendran,
Addl Govt. Pleader.

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the second and third respondents to act upon the application submitted by the petitioner on 25.01.2021, wherein the petitioner is seeking for the survey of the subject property.



2. The case of the petitioner is that the subject property originally belonged to the husband of the petitioner, by virtue of a registered sale deed dated 01.07.1996. The properties were subsequently, partitioned and the document was also registered on 29.05.2008. Subsequently, the husband of the petitioner expired.

3. The petitioner filed an application before the second and third respondents on 25.01.2021, seeking for the survey of the subject property and for fixing the boundaries. The petitioner also paid the necessary charges on the same day. The grievance of the petitioner is that the second and third respondents have not taken any action on the application submitted by the petitioner. Left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.F.X.Eugene, learned counsel appearing for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader appearing for the respondents.

5. 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 second and third respondents to act upon the application submitted by the petitioner on 25.01.2021, and take a decision with regard to the survey of the subject property, within a period of six (6) weeks from the date of receipt of a copy of this order. If there are any other interested party, who will have to be present at the time of survey, notice shall also be issued to them before conducting the survey.

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

7. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

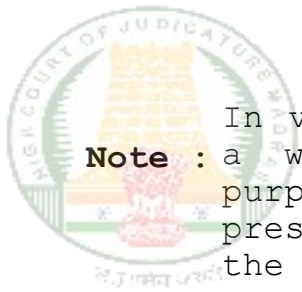
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm



In view of the present lock down owing to COVID-19 pandemic,
Note : 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.

WEB COPY

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagr.
- 2.The Tahsildar,
Sattur Taluk,
Virudhunagar District.
- 3.The Inspector of Survey,
Sattur Taluk,
Virudhunagar District.

+1 CC to M/s.F.X.EUGENE, Advocate (SR-16985[F] dated 22/04/2021)
+1 CC to SPL GP (SR-16968[F] dated 21/04/2021)

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20.04.2021

RRS (10.05.2021) 3P 6C