



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.7559 of 2021

(Through Video Conference)

Gunasundari

...Petitioner

Vs.

1. The Tahsildhar,
Orathanadu Taluk Office,
Thanjavur District.

2. The Taluk Surveyor,
Orathanadu Taluk Office,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing respondents to measure the property in Survey No.163-D to the extent of 0.05.0 Acre (12 1/3 in cents, 5377.3 in sq.feet) given through Inam settlement to the petitioner and her sisters by her father dated 16.11.2017 as per Pappanadu Sub Registrar office, as Registered Document No.1209/2017, which is part and parcel of Thanjavur District, Orathanadu Taluk No.67, Nemmeli, Thippiyakudi Village which is in possession and enjoyment and issue a patta in considering the petitioner's representation dated 18.01.2021.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.M.Rajarajan,
Additional Government Pleader

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus, directing the respondents to survey the subject property and to issue Patta in favour of the petitioner, based on the representation made by the petitioner on 18.01.2021.

2. The case of the petitioner is that the subject property, originally belonged to the father of the petitioner and a settlement deed was executed in favour of the petitioner and her sister through a registered document, dated 16.11.2017. The further case of the petitioner is that the Patta originally stood in the name of her father, bearing Patta No.281.



3. The petitioner along with her sister made an application before the respondents seeking for surveying the property and for issuance of Patta. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.V.Selvakumar, learned counsel for the petitioner and Mr.M.Rajarajan, 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 first respondent to act upon the application submitted by the petitioner on 18.01.2021 and pass appropriate orders strictly in accordance with law within a period of eight (08) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued notice and opportunity shall be given to raise their objections, if any. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

6. The writ petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Tahsildhar,
Orathanadu Taluk Office,
Thanjavur District.

2. The Taluk Surveyor,
Orathanadu Taluk Office,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-15455[F] dated 08/04/2021)

Order made in
W.P. (MD) No.7559 of 2021
Dated:07.04.2021

AK(26/02/2021) 3P 4C