



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8347 of 2021

M.S.Vijila

... Petitioner

Vs.

1. The Tahsildar,
Killiyoor Taluk,
Kanyakumari District.

2. The Taluk Surveyor,
Killiyoor Taluk,
Kanyakumari District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to survey and mark the boundaries of the property in Survey No.315/4 admeasuring 3.75 cents and Survey No.315/5, ad-measuring 18.75 cents of Kulapuram Village, Killiyoor Taluk, Kanyakumari District by considering the representation of the Petitioner dated 24.3.2021 within the time frame fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Rajarajan
Addl.Govt. Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents to consider the representation made by the Petitioner on 24.3.2021, wherein, the Petitioner has sought for survey of the subject property and marking of the boundaries.

2.The case of the Petitioner is that the subject property was purchased by her through a registered sale deed, dated 7.11.2002. The patta was also issued in her favour in Patta Nos. 3499 and 8720. According to the Petitioner, she is in possession and enjoyment of the property.



3.The Petitioner made an application/representation before the respondents on 24.3.2021 seeking for survey of the subject property and for marking of the boundaries. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing on behalf of 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 respondents to consider the representation made by the petitioner on 24.03.2021 on its own merits and in accordance with law and take a decision as regards the survey of the subject property within a period of four weeks from the date of receipt of a copy of this order. If there are any other interested parties, notice shall also be given to them before surveying the property.

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

7. The Writ Petition stands disposed of with the above directions. No 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 Tahsildar, Killiyoor Taluk, Kanyakumari District.

2. The Taluk Surveyor, Killiyoor Taluk, Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-17227[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17376[F] dated 23/04/2021)

Order made in
W.P. (MD) .No.8347 of 2021
22.04.2021

RS (06.05.2021 3P 5C