



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10894 of 2021

WEB COPY

Gnana Sounthari

... Petitioner

Vs.

1.The Tahsildar,
Tiruchendur Taluk,
Thoothukudi District.

2.The Taluk Head Surveyor,
Taluk Office,
Tiruchendur Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent measure the land an extent of 13.59 cents comprised in survey No.747/6, bearing Patta No.4019, situated at Kayalpattinam Village, Tiruchendur District, Tuticorin District, within stipulated time frame by this Court.

For Petitioner : Mr. D.Veerakumar

For Respondents : Mr.R.Suresh Kumar

Government Advocate

ORDER

This writ petition has been filed for the issue of Writ of Mandamus, directing the respondents to act on the application submitted by the petitioner on 10.06.2021, wherein, the petitioner has sought for the survey of the subject property and for fixing the boundaries.

2.The case of the petitioner is that the subject property was originally owned by her father. He died on 25.10.1990, leaving behind the petitioner, her mother, her sister and brothers. The further case of the petitioner is that her mother also died in the year 1996. Before her demise, the patta, chitta and adangal were transferred to the name of the petitioner's mother. It is stated that the elder brother of the petitioner also died unmarried and similarly, the younger brother also died unmarried. Ultimately, the petitioner and her sisters have inherited the property.

3.The petitioner made an application before the first respondent on 10.06.2021 and also paid the necessary charges requesting for the survey of the subject property and for fixing the boundaries. Since the same was not acted upon, the present writ petition has been filed before this Court, seeking for appropriate directions.



4. Heard Mr.D.Veerakumar, learned counsel appearing for the petitioner and Mr.R.Sureshkumar, learned Government Advocate, 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 direction to the respondents to act upon the application submitted by the petitioner on 10.06.2021 and take a decision with regard to the survey of the subject property, within a period of four weeks from the date of receipt of a copy of this order. The second respondent shall issue notice to the petitioner and all other co-owners of the property before undertaking the survey.

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

7. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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,
Tiruchendur Taluk, Thoothukudi District.

2. The Taluk Head Surveyor,
Taluk Office,
Tiruchendur Taluk, Thoothukudi District.

+1 CC to M/s.SPL GP (SR-21057[F] dated 02/07/2021)

Order made in

W.P. (MD) .No.10894 of 2021

01.07.2021