



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11061 of 2021

WEB COPY

J.Renukadevi

... Petitioner

Vs.

1. The Tahsildar,
Madurai North Taluk, Madurai, Madurai District.

2. The Head Surveyor,
Madurai North Taluk, Madurai,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to survey and demarcate the land comprised in Old Survey No.216/5, New Survey No.155/5B3, measuring about 15 ½ cents i.e., 6758 Square Feet, situated at Pothumbu Village, II Bit, Madurai North Taluk, Madurai in the light of the petitioner's application dated 22.03.2021 submitted before the first respondent, within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.R.Suresh Kumar,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the application submitted by the petitioner on 22.03.2021, wherein, the petitioner has sought for the survey and demarcation of the subject property.

2. The case of the petitioner is that she is owner of the subject property by virtue of a registered sale deed, dated 26.03.2009. The further case of the petitioner is that the first respondent has already issued a patta in her name in Patta No.1039. It is stated that the petitioner had alienated a portion of the property and she is now in possession and enjoyment of 1400 Square Feet.

3. The petitioner made an application / representation before the first respondent on 22.03.2021 seeking for survey and demarcation of the property. Since the same was not acted upon, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.B.Prahalad Ravi, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government



Advocate 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 second respondent to act upon the application submitted by the petitioner on 22.03.2021 and take a decision with regard to the survey and demarcation of the 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 parties, notice shall also be given to them before undertaking the survey.

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

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Madurai North Taluk,
Madurai, Madurai District.

2. The Head Surveyor,
Madurai North Taluk, Madurai,
Madurai District.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-21253[F] dated 05/07/2021)

+1 CC to M/s.SPL GP (SR-21333[F] dated 06/07/2021)

Order made in
W.P. (MD).No.11061 of 2021

Dated :
05.07.2021