



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12210 of 2021

Mayil

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office, Periyakulam Taluk,
Theni District.

2.The Head Surveyor,
Taluk Office,
Periyakulam Taluk, Theni 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 issue separate patta in favour of the petitioner for the land in Survey Nos.498 /6 and 492/1b to the total extent of 4400 Square Feet, situated at Jeyamangalam Village, Periyakulam Taluk, Theni District, based on the petitioner's representation dated 08.04.2021.

For Petitioner	: Mr.S.A.Ajmal Khan
For R-1 & R-2	: Mr.M.Lingadurai
	Government Advocate

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 08.04.2021, wherein, the petitioner has sought for the survey of the subject property and for issuance of a separate patta in favour of the petitioner.

2. The case of the petitioner is that her mother was the absolute owner of a larger extent of land and she executed a settlement deed in favour of the petitioner, through a registered settlement deed, dated 04.04.2014 and an extent of 4,400 Square Feet was settled in favour of the petitioner. The further case of the petitioner is that a joint patta was also issued in Patta No.2489.

3. The petitioner made an application before the respondents seeking for the survey of the subject property and for issuance of a separate patta insofar as the property that was settled in her favour. Since the same was not acted upon, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.S.M.A.Ajmalkhan, learned counsel appearing for



the petitioner and Mr.M.Lingadurai, 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 a direction to the respondents to consider the representation made by the petitioner on 08.04.2021 and take a decision and pass final orders within a period of six 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 with notice and an opportunity shall also be given to them.

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

Sd/-

Assistant Registrar (CRL)

// 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,
Taluk Office, Periyakulam Taluk,
Theni District.

2.The Head Surveyor,
Taluk Office,
Periyakulam Taluk, Theni District.

+1 CC to M/s.GP (SR-23501[F] dated 22/07/2021)

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_RD(30.07.2021) 2P 4C