



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2021

CORAM

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.(MD)No.13978 of 2021

WEB COPY

V.Arockiyammal

... Petitioner

Vs.

1. The District Collector,
Office of District collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Dindigul Taluk, Dindigul District.
3. The Taluk Surveyor,
Aathur Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to direct the third respondent to complete the survey of the petitioner's property in Survey No.30/2A, Patta No.284 situated in Aalamarathupatti Village, Aathur Taluk, Dindigul District, by considering her representation dated 20.05.2019, 12.06.2019, 19.07.2019 and 17.08.2019, within the period as stipulated by this Court.

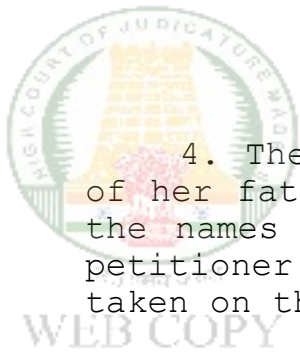
For Petitioner	: Mr.Haja Mohideen
For Respondents	: Mr.P.Subbaraj, Counsel for State

O R D E R

The petitioner seeks a survey of the property in Survey No.30/2A, at Aalamarathupatti Village, Aathur Taluk, Dindigul District, on the basis of her representation.

2. The petitioner traces her title to the property to her father. Upon the death of her father on 31.12.2008, she states that she and her sister inherited the said property. Although she submitted the necessary application by enclosing the patta in the name of her father, the death certificate, legal heirship certificate, etc., no action has been taken thereon.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents and submits that the Tahsildar may be directed to consider the petitioner's representation and dispose of the same on merits.



4. The petitioner has enclosed a copy of the patta in the name of her father, Velankanni. The legal heirship certificate reflects the names of the petitioner and her sister Lily. Accordingly, the petitioner's sister would have to be heard before a decision is taken on the survey of the land.

5. Accordingly, without going into the merits of the matter, the second respondent herein is directed to consider the petitioner's representation dated 17.08.2019 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, her sister Lily and any other person who would be affected by such decision. Such reasoned order shall be passed within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, W.P(MD).No.13978 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To:

1. The District Collector,
Office of District collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Dindigul Taluk, Dindigul District.
3. The Taluk Surveyor,
Aathur Taluk,
Dindigul District.

+1 CC to M/s.GP (SR-26048[F] dated 12/08/2021)

W.P. (MD)No.13978 of 2021
11.08.2021

RD(19.08.2021) 2P 5C