



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.14776 of 2021

Ms.M.Yasothai

... Petitioner

Vs.

1.The Thasildar,
Madurai East Taluk,
Madurai.

2.The Revenue Divisional Officer,
Y.Othakadai,
Madurai.

3.The District Revenue Officer,
Madurai District,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to survey, sub divide and mark the boundary of the lands in Survey No.382 in UDR No.219 out of the total extent of 10 acre 23 cents, 2300 sq.ft of land comprised as a house for an extent of 1300 sq.ft on the north eastern side, a Madras Terraced Building with vacant side in Old No.1/56 New No.1/81 in Survey No.382 in UDR No.291 and vacant house site an extent of east-west 66 feet, north south 31 feet a total extent of 2046 sq.ft a house property with Mangalore with well and vacant site and a vacant site an extent of 2046 sq.ft [vide sale deed dated 08.07.2009 Document No.3321 of 2009] on the basis of the application dated 23.02.2021 made by the petitioner within a time frames.

For Petitioner : Mr.V.Sakthivel

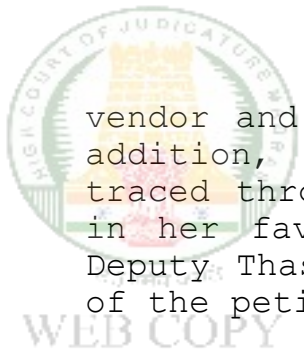
For Respondents : Mr.P.Subbaraj,
Counsel for the State

ORDER

The petitioner seeks sub division and survey of the property bearing Survey No.382 in UDR Survey No.219.

2. The petitioner claims title to the aforesaid property through a registered sale deed dated 29.05.1976 in favour of her

<https://hcservices.ecourts.gov.in/hcservices/>



vendor and subsequent sale deed dated 12.04.1993 in her favour. In addition, as regards another portion of the property, title is traced through a settlement deed executed by her son on 08.07.2009 in her favour. The Manavari Thoraya Patta issued in her name by Deputy Thasildar, Madurai East Taluk, Madurai, is cited in support of the petition.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the first respondent would consider and dispose of the petitioner's representation within a reasonable time frame.

4. The petitioner has enclosed the sale deeds and settlement deed under which she claims title to the property. The Manavari Thoraya Patta is also enclosed. A communication dated 05.03.2021 from the District Revenue Office to the Thasildar has been enclosed and the said document indicates that the Thasildar has been directed to take action on the representation.

5. In the aforesaid facts and circumstances, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 23.02.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and any other person who would be affected by the conduct of a survey or by the sub division of the property. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order.

6. W.P.(MD).No.14776 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Thasildar,
Madurai East Taluk,
Madurai.

2.The Revenue Divisional Officer,
Y.Othakadai,
Madurai.

3.The District Revenue Officer,
Madurai District,
Madurai.

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-26849[F] dated 19/08/2021)

+1 CC to M/s.GP (SR-26922[F] dated 23/08/2021)

W.P (MD) No.14776 of 2021
19.08.2021

MGJ(13.09.2021) 3P 6C