



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15176 of 2021

Kanagalakshmi

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Collectorate Buildings, Trichirappalli-620 001.

2.The Tahsildar,
Manapparai,
Tahsildar's Office, Manapparai,
Trichirappalli District.

3.The Taluk Surveyor,
Taluk Surveyor's Office,
Manapparai,
Trichirappalli District.

... Respondents

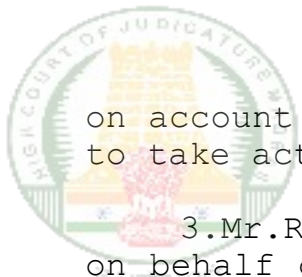
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to consider the representation of the petitioner dated 03.12.2020 and thereby to direct them to measure / survey the petitioner's property situated in Survey No.177/4 of Elamanam Village, Manapparai Taluk, Trichirappalli District, within the time frame to be fixed by this Court.

For Petitioner	:	Mr.K.S.Kathiravan
For R-1 to R-3	:	Mr.R.Baskaran
		Counsel for State

ORDER

The petitioner seeks a survey of the property situated in Survey No.177/4 of Elamanam Village, Manapparai Taluk, Trichirappalli District.

2.The petitioner traces title to the aforesaid property through a registered partition deed dated 04.08.1979. It is stated that her late husband derived title to the property under the aforesaid registered partition deed. Upon his death, the property devolved on the petitioner herein and her two daughters. The patta issued by the Revenue authorities in favour of the petitioner and her daughters is cited. In order to erect a fence and fix boundary stones, the petitioner applied for a survey of the property under representation dated 03.12.2020. The present Writ Petition is filed



on account of the failure of the second and third respondents herein to take action thereon.

3.Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's request for survey may be considered and disposed of after putting any other affected parties on notice.

4.The documents on record include a copy of the partition deed dated 04.08.1979 and the patta issued in the names of the petitioner and her daughters, namely Jothi Venkateshwari and Shanmuga Priya. Therefore, if such persons are majors, they should be put on notice before the survey is conducted. There do not appear to be any rival claimants.

5.In the above facts and circumstances, the second and third respondents herein are directed to consider the petitioner's representation for a survey, conduct such survey after putting the petitioner, her daughters and any adjoining land owners on notice. Such survey shall be conducted and completed within a period of three (3) months from the date of receipt of a copy of this order.

6.Accordingly, W.P.(MD).No.15176 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 District Collector,
Tiruchirappalli District,
Collectorate Buildings,
Trichirapappli-620 001.



2.The Tahsildar,
Manapparai,
Tahsildar's Office, Manapparai,
Trichirappalli District.

3.The Taluk Surveyor,
Taluk Surveyor's Office,
Manapparai,
Trichirappalli District.

+1 CC to M/s.K.S.KATHIRAVAN, Advocate (SR-27497[F] dated 26/08/2021)

W.P (MD) No.15176 of 2021
26.08.2021

RS (06.09.2021) 3P 5C