



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15246 of 2021

Valarmathi

... Petitioner

Vs

1.The District Collector,
Karur District,
Karur.

2.The Thasildar,
Kulithalai Taluk,
Karur District.

3.The Surveyor,
Kottiparai Village,
Kulithalai Taluk,
Karur 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 second respondent to measure and demarcate petitioner's land in survey No.633/1C, 633/1D, 633/1E, 633/1F and 633/1G situated in Maruthur Village, Kulithalai Taluk, Karur District based on the petitioner's representation dated 10.08.2021 within stipulated time.

For Petitioner : Mr.M.Karunanithi
For Respondents : Mr.R.Baskaran,
Counsel for State,

ORDER

The petitioner seeks a survey and demarcation of her lands in Survey Nos.633/1C, 633/1D, 633/1E, 633/1F, 633/1G in Maruthur Village, Kulithalai Taluk, Karur District.

2.The petitioner claims title to the aforesaid lands under a settlement deed executed by her husband on 17.06.2021, which was registered as Document No.1571/2021. The petitioner also relies upon Patta No.2431 which was issued to the petitioner. The petitioner applied to the second respondent on 19.07.2021 for patta transfer and to measure and demarcate the relevant property. The present writ petition is filed on account of the failure of the respondents to initiate action as requested in spite of issuing a representation dated 10.08.2021.

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 a survey and demarcation of the property may be directed to be considered and disposed of within a reasonable time

frame



4.The documents on record include the Settlement Deed dated 17.06.2021 and the patta issued in favour of the petitioner herein. Such patta covers all the survey numbers in respect of which the petitioner seeks a survey. There do not appear to be any rival claims.

5.Accordingly, the second respondent herein is directed to act on the petitioner's representation dated 10.08.2021 and conduct a survey on such basis. Such survey shall be undertaken after putting the adjoining land owners on notice as such adjoining land owners may be affected by the conduct of such survey. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

6.W.P.(MD).No.15246 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)

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,
Karur District,
Karur.

2.The Thasildar,
Kulithalai Taluk,
Karur District.

3.The Surveyor,
Kottiparai Village,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-27719[F] dated 31/08/2021)

+1 CC to M/s.The Special Government Pleader (SR-27639[F] dated 31/08/2021)

W.P(MD)No.15246 of 2021

27.08.2021

RS (07.09.2021) 2P 6C

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