



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.17509 of 2021

Meenambal

... Petitioner

vs.

1.The District Collector,
Office of Collectorate, Theni District.

2.The Tahsildar,
Andipatti Taluk, Theni District.

3.The Chief Surveyor,
Andipatti Taluk, Theni District.

4.The Village Administrative Officer,
Theppampatti Village,
Andipatti Taluk, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second and third respondents to consider the petitioner's representation, dated 12.08.2021 and survey the petitioner's land in S.No.444/3, Theppampatti Village, Antipatti Taluk, Theni District on the basis of challan No.4026, dated 10.12.2020.

For Petitioner :Mr.S.Balaji

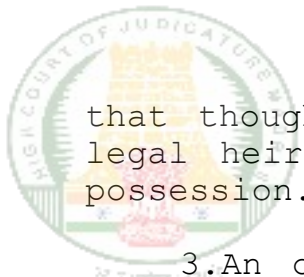
For Respondents :Mr.N.Satheesh Kumar

Additional Government Pleader

O R D E R

The Writ Petition is filed in the nature of Mandamus seeking for a direction against the second respondent/Tahsildar, Andipatti Taluk, Theni District to consider the representation, dated 12.08.2021 and survey the land in S.No.444/3 in Theppampatti Village, Andipatti Taluk, Theni District, with the help of the third respondent/Chief Surveyor, Andipatti Taluk, Theni District. The petitioner had also made necessary payment by way of Challan on 10.12.2020.

2.It is the claim of the petitioner that the property in S.No.444/3 in Theppampatti Village, Andipatti Taluk, Theni District, measuring to an extent of 0.26.0 ares is in his possession, which originally belonged to his maternal grandfather, one Chinnan son of Vellaiyan. The petitioner's mother was a legal heir of his maternal grandfather. The mother died on 16.03.2020. The petitioner claims



that though there are other relatives, the petitioner, as a sole legal heir, is entitled to the lands. He also claims to be in possession.

3.An obligation is placed on the second respondent/Tahsildar, Andipatti Taluk, Theni District, to issue notice to the petitioner, examine the records the petitioner has, issue notice to any other third persons, who have interest in the issues raised by the petitioner, make necessary enquiry and thereafter, conduct survey with the assistant of third respondent and do the needful. The entire process may be completed within a period of sixteen weeks from the date on which, the petitioner gives a fresh representation in person to the second respondent. The petitioner had already paid the requisite fees of Rs.800/- in the Government Treasury and therefore, the petitioner need not pay any further fee.

4.With the said observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

- 1.The District Collector,
Office of Collectorate, Theni District.
- 2.The Tahsildar,
Andipatti Taluk, Theni District.
- 3.The Chief Surveyor,
Andipatti Taluk, Theni District.
- 4.The Village Administrative Officer,
Theppampatti Village,
Andipatti Taluk, Theni District.

+1 CC to M/s.S.BALAJI, Advocate (SR-35206[F] dated 19/11/2021)

+1 CC to M/s.SPL GP (SR-34953[F] dated 18/11/2021)

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RD(30.11.2021) 2P 7C