



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.04.2021**

CORAM

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.18941 of 2020

WEB COPY

J.Geetha Kumari

.. Petitioner

Vs.

1.The District Collector,
Nagarcoil,
Kanyakumari District.

2.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

3.The Surveyor,
Kalkualm Taluk,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 03.11.2020 i.e., to measure her land in S.No.424/2 in to the extent fifty cent at Vellisanthai "A" Village, Kalkulam Taluk, Kanyakumari District.

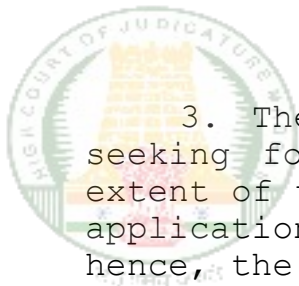
For Petitioner : Mr.M.Maharaja

For Respondents : Mr.B.Bhagawathi,
Government Advocate.

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner on 03.11.2020, wherein the petitioner has sought for the survey of the subject property.

2. The case of the petitioner is that her mother was the absolute owner of the subject property. She executed a Will in favour of the petitioner and her sisters and the Will was registered on 20.06.1996. According to the petitioner, the total extent of the subject property is 50 cents.



3. The petitioner made an application before the respondents seeking for survey of the property in order to verify the total extent of the property. The grievance of the petitioner is that the application was not considered and no survey was conducted and hence, the present Writ Petition has been filed before this Court.

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4. The learned Government Advocate appearing on behalf of the respondents submitted that the second respondent was not able to act upon the representation made by the petitioner, due to lack of necessary documents, which has to be verified before conducting the survey. The learned Government Advocate further submitted that if the petitioner submits all the necessary documents, the same can be verified and the petitioner will be enquired and thereafter, survey will be conducted.

5. The learned counsel for the petitioner submitted that the petitioner will submit all the relevant documents before the second respondent and some time limit may be fixed for completion of the survey in the subject property.

6. Taking into consideration the facts and circumstances of the case and the submission made on either side, there shall be a direction to the petitioner to make a fresh representation to the second respondent along with all the relevant documents. The second respondent, on receipt of the same, shall take a decision on conducting survey in the subject property within a period of four weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (RTI ACT)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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,
Nagarcoil,
Kanyakumari District.

2.The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

3.The Surveyor,
Kalkualm Taluk,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-15839[F] dated 15/04/2021)

W.P. (MD) No.18941 of 2020

09.04.2021

RK (27.04.2021) 3P 5C