



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.8497 of 2022

Sivasakthi

...Petitioner

Vs.

1. The Tahsildar,
Tahsildar Office,
Kangayam,
Kangayam Taluk,
Tiruppur District.

2. The Taluk Surveyor
Taluk Office,
Kangayam Taluk,
Tiruppur District.

3. The Head Surveyor,
Survey and Land Records,
Avinashi East (G),
Collectorate Building,
Tiruppur District.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the application/representation of the petitioner dated 22.11.2021 and to survey and demarcate my property admeasuring an extent of 5 acres comprised in R.S.No.368/3 situated at Kathanganni Village, Balasamuthirampudur Panchayat Union, Kangayam Taluk, Kathanganni Village.

For Petitioner : Mr.S.Manikandan

For Respondents: Mr.P.Sathish
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus to direct the respondents to consider the application/representation of the petitioner dated 22.11.2021 and to survey and demarcate the petitioner's property



admeasuring an extent of 5 acres comprised in R.S.No.368/3 situated at Kathanganni Village, Balasamuthirampudur Panchayat Union, Kangeyam Taluk, Kathanganni Village.

2.The case of the petitioner is that the petitioner's father namely, Mr.Pazhanisamy is the absolute owner of the lands ad-measuring an extent of 20 acres comprised in R.S.Nos.368/1, 368/3 and 369/6 situated at Kathanganni Village. After the demise of petitioner's father, the petitioner and her mother inherited the said property as the legal heirs. In this regard, the Tahsildar, Kangeyam has issued a legal heir certificate declaring them as the legal heirs of said Palanisamy. Subsequent to the death of her father, the petitioner and her mother unable to identify the property. That being the case, the petitioner has made an application/representation dated 22.11.2021 before the respondents, seeking to survey and demarcate her lands by paying necessary fees along with necessary documents. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed this present Writ Petition.

3.The learned counsel for the petitioner submitted that it would suffice, if this Court, issues direction to the first respondent to consider the petitioner's representation dated 22.11.2021 and pass orders on the same within a particular time frame that may be fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents has no objection for said order being passed.

5.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the first respondent to consider the petitioner's representation dated 22.11.2021 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

jd/sp



To

1. The Tahsildar,
Tahsildar Office,
Kangeyam,
Kangeyam Taluk,
Tiruppur District.
2. The Taluk Surveyor
Taluk Office,
Kangeyam Taluk,
Tiruppur District.
3. The Head Surveyor,
Survey and Land Records,
Avinashi East (G),
Collectorate Building,
Tiruppur District.

+1cc to M/s.S.Manikandan, Advocate, S.R.No.24959

+1cc to the Government Pleader, S.R.No.24521

W.P. No.8497 of 2022

PMK (CO)

RGA (22/04/2022)