



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.5043 of 2022

S.Muthukani

... Petitioner

vs.

1.The Tahsildar,
Office of the Tahsildar,
Sankarankovil (Taluk),
Sankarankovi, Tenkasi District.

2.The Head Surveyor,
Office of the Taluk Surveyor,
Tahsildar Office Campus,
Sankarankovil Taluk, Sankarankovil,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to survey and measure the petitioner's property and issue a separate patta vide Patta No.1256 comprised in Survey No.438B/23 and to fix boundary stones situated at Puliyampatti village, Kalappakulam Revenue Village, Sankarankovil (Taluk), Tenkasi District by considering petitioner's representation dated 30.11.2021 within a time fixed by this Court.

For Petitioner :Mr.V.Selvakumar

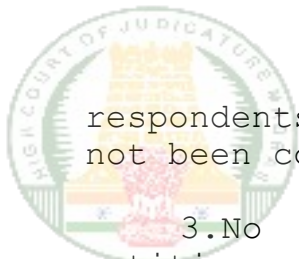
For Respondents :Mr.B.Saravanan

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to conduct a survey and measure the petitioner's property and issue a separate patta in the petitioner's name for the property comprised in Survey No.438B/23 and to fix boundary stones situated at Puliyampatti village, Kalappakulam Revenue Village, Sankarankovil (Taluk), Tenkasi District based on the petitioner's representation dated 30.11.2021 within a time frame to be fixed by this Court.

2.The petitioner has filed documents in support of her claim that she is the absolute owner of the aforementioned property. According to the petitioner, Patta No.1256 stands in the name of her parents and her grandmother. Since they are no more, the petitioner claims that patta has to be issued in her name. The petitioner also requests for survey and demarcation of her properties. She has already given a representation, dated 30.11.2021 with the



respondents for the said purpose. Since the said representation has not been considered till date, she has filed this Writ Petition.

3.No prejudice will be caused to the respondents, if the petitioner's request for survey and demarcation of the petitioner's property is done by the respondents. No prejudice will also be caused to the respondents, if the petitioner's representation seeking for issuance of separate patta in her name for the aforementioned property, is considered on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party, whom the first respondent deems fit to enquire.

4.For the foregoing reasons, this Court directs the respondents to conduct survey of the petitioner's land bearing Survey No.438B/23 and to fix boundary stones situated at Puliyampatti village, Kalappakulam Revenue Village, Sankarankovil Taluk, Tenkasi District and thereafter, consider the petitioner's representation seeking for issuance of separate patta in her name for the said property after affording a fair hearing to the petitioner and any other necessary party, whom the first respondent deems fit to enquire and pass final 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.

5.With the aforementioned directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The Tahsildar,
Office of the Tahsildar,
Sankarankovil (Taluk), Sankarankovi, Tenkasi District.

2.The Head Surveyor,
Office of the Taluk Surveyor,
Tahsildar Office Campus,
Sankarankovil Taluk, Sankarankovil, Tenkasi District.

+1 CC to M/s.SPL GP (SR-13851[F] dated 23/03/2022)

W.P. (MD)No.5043 of 2022
22.03.2022

RD(30.03.2022) 2P 4C

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