



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.6541 of 2022

R.Kamalam

... Petitioner

Vs.

1.The Tahsildar,
Kalayar Koil Taluk Office,
Kalayar Koil Posts and Taluk,
Sivaganga District.

2.The Head Surveyor,
Kalayar Koil Taluk Office,
Kalayar Koil Post & Taluk,
Sivaganga District.

3.The Inspector of Police,
Kalayar Koil Police Station,
Kalayar Koil Post & Taluk,
Sivaganga District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner application dated 15.03.2022 and to survey and demarcate the petitioner's property situated in S.No.475/18, Maravamangalam Village, Palkulam Group, Kalayarkoil Taluk, Sivaganga District and to issue patta in the name of the petitioner by considering the sale deed within a stipulated time.

For Petitioner : Mr.M.Saravanakumar
For Respondents 1 to 3 : Mr.T.Amjad Khan
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's application dated 15.03.2022 and to survey and demarcate the petitioner's property situated in S.No.475/18, Maravamangalam Village, Palkulam Group, Kalayarkoil Taluk, Sivaganga District and to issue patta in the name of the petitioner, within a time frame to be fixed by this Court.

2.The petitioner has submitted a representation to the respondents on 15.03.2022 seeking for survey and demarcation of boundaries in respect of the aforementioned property which she claims that it belongs to her absolutely. Since the said representation has not been considered till date, this writ petition has been filed.



3.Heard Mr.M.Saravanakumar, learned Counsel for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of respondents.

4.The petitioner has produced documents in support of her case that she is the owner of the aforementioned property. She has sought for a survey and fixation of boundaries by the appointment of a Surveyor and the petitioner has given a representation on 15.03.2022 for the said purpose.

5.No prejudice would be caused to the respondents if the representation of the petitioner dated 15.03.2022 is considered on merits and in accordance with law after hearing the petitioner as well as the rival claimants, if any.

6.Accordingly, this Court directs the petitioner to submit an online application for issuance of patta within a period of one [1] week from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to survey and fix the boundaries in the petitioner's property in S.No.475/18, Maravamangalam Village, Palkulam Group, Kalayarkoil Taluk, Sivaganga District and after survey and demarcation of boundaries, the first respondent shall consider the online application for issuance of patta in the name of the petitioner, and pass final orders within a period of four [4] months thereafter, after affording a fair hearing to the petitioner and other necessary parties whom the first respondent deems fit to enquire.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1.The Tahsildar,
Kalayar Koil Taluk Office,
Kalayar Koil Posts and Taluk,
Sivaganga District.

2.The Head Surveyor,
Kalayar Koil Taluk Office,
Kalayar Koil Post & Taluk,
Sivaganga District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
Kalayar Koil Police Station,
Kalayar Koil Post & Taluk,
Sivaganga District.

+1 CC to M/s.M. SARAIVANAN, Advocate (SR-17568[F] dated 08/04/2022)

+1 CC to M/s.SPL.GP (SR-17901[F] dated 11/04/2022)

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