



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.6705 of 2022

WEB COPY

A.Sagayasanthi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul East Taluk,
Dindigul District, Dindigul.

3.The Head Taluk Surveyor,
Dindigul East Taluk,
Dindigul District,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 herein to conduct survey, measurement and fix boundaries of the petitioner's property comprised in Survey No.841/2 in Plot Nos.2 and 8 extent of 2374 Sq Ft in Rajivgandhinagar, East Mariyanathapuram, Balakrishnapuram, Utkadai, Dindigul East Taluk, Dindigul District, on the basis of the petitioner's representation dated 05.03.202 within a reasonable time.

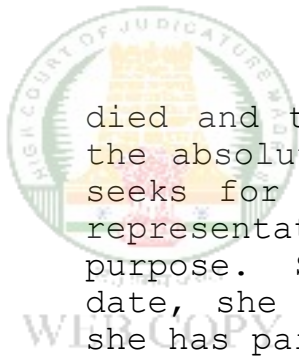
For Petitioner : Mr.V.M.Jegadeeshapandian

For Respondents : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 and 3 to conduct survey and demarcate the boundaries in respect of the property comprised in Survey No.841/2 in Plot Nos.2 and 8 measuring an extent of 2374 Sq Ft in Rajivgandhinagar, East Mariyanathapuram, Balakrishnapuram, Utkadai, Dindigul East Taluk, Dindigul District, based on the petitioner's representation dated 05.03.2022 within a time frame to be fixed by this Court.

2. The petitioner claims that originally her mother, Mariyapushpam was the absolute owner of the aforementioned property, having got the same under a partition deed dated 04.05.1982 registered as Document No.1003/1982. According to her, her mother



died and thereafter, her legal heirs including the petitioner are the absolute owners of the aforementioned property. The petitioner seeks for survey and demarcation of boundaries. She has given a representation on 05.03.2022 to the respondents 2 and 3 for the said purpose. Since the said representation has not been considered till date, she has filed this writ petition. It is also her case that she has paid necessary charges for conducting the survey.

3. Heard Mr.V.M.Jegadeesapandian, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents, if the survey and demarcation of the aforementioned property is conducted in the presence of the petitioner and the other legal heirs of the deceased Mariyapushpam as well as any other necessary party whom the second respondent deems it fit to be put on notice during the time of survey.

5. The petitioner has also filed documents along with the writ petition which includes the partition deed dated 04.05.1982 registered as Document No.1003 / 1982 and as per the said document, the petitioner's mother Mariyapushpam was allotted the aforementioned property. The said Mariyapushpam also died and the petitioner now claims that her legal heirs are the absolute owners.

6. For the foregoing reasons, this Court directs the second respondent with the assistance of the third respondent to conduct survey and demarcation of boundaries in respect of Survey No.841/2 in Plot Nos.2 and 8 measuring an extent of 2374 Sq Ft in Rajivgandhinagar, East Mariyanathapuram, Balakrishnapuram, Utkadai, Dindigul East Taluk, Dindigul District in the presence of the petitioner and the other legal heirs of the deceased Mariyapushpam and any other necessary party whom the second respondent deems it fit to put on notice at the time of survey within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

tsg

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



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.

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To:

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Tahsildar,
Dindigul East Taluk,
Dindigul District, Dindigul.
- 3.The Head Taluk Surveyor,
Dindigul East Taluk,
Dindigul District,
Dindigul.

+1 CC to M/s.SPL.GP. (SR-18158[F] dated 12/04/2022)

W.P. [MD]No.6705 of 2022

11.04.2022

_RD(28.04.2022) 3P 5C