

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22154 of 2022

Tmt.Helan Indira

... Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

3.The Head Surveyor,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

4.Village Administrative Officer,
Thiruviruthanpulli Part-2,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to measure and demarcate the petitioner's land in Survey No.363/1A1A1B at Thiruviruthanpulli Part-2 Village, Cheranmahadevi Taluk, Tirunelveli District within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.A.S.Krishnan
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to measure and demarcate the petitioner's land in Survey No. 363/1A1A1B at Thiruviruthanpulli Part-2 Village, Cheranmahadevi Taluk, Tirunelveli District.

2.Heard Mr.A.S.Krishnan, learned counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner submits that the petitioner and her brother purchased a land in Survey No.363/1A1A1B at Thiruviruthanpulli Part-2 Village, Cheranmahadevi Taluk, Tirunelveli District. Thereafter, they jointly enjoying the property without any hindrance. To meet out the various domestic and medical expenses, the petitioner had obtained hand loan from various persons for interest and therefore, she decided to sell the above said

property and various persons approached him and after verifying the documents, they were convinced and asked him to measure and demarcate the land and therefore, the petitioner submitted an application before the second respondent by remitting necessary charges. Even after remitting the necessary charges, the second respondent did not depute anybody to measure the property and therefore, the petitioner has given a representation on 04.08.2022 to the second respondent. Since, no action has been taken to measure and demarcate the property, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4.The learned Special Government Pleader appearing for the respondents 1 to 4 submits that appropriate direction may be given to the respondents 1 and 2 to consider the petitioner's application, dated 04.08.2022, in accordance with law, within a time frame.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court directs the respondents 1 and 2 to consider the application of the petitioner, dated 04.08.2022 and after issuing notice to the petitioner and any other parties concerned, conduct survey in their presence and demarcate the land in Survey No.363/1A1A1B at Thiruviruthanpulli Part-Village,

Cheranmahadevi Taluk, Tirunelveli District in accordance with law and communicate the decision taken to the petitioner and others concerned. Such exercise shall be completed within a period of sixteen weeks from the date of receipt of a copy of this order.

6.This Writ Petition stands disposed of with the above directions. No costs.

Index : Yes/No
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20.09.2022

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V.BHAVANI SUBBAROYAN, J.

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