



W.P(MD)No.24424 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24424 of 2022

T.Shanthi

... Petitioner

Vs.

1.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

2.The Taluk Surveyor,
Vilavancode Taluk,
Kanyakumari 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 conduct survey and mark boundaries of the property by sub-dividing the property and issue separate patta with regard to the property in re-survey No. 396/12 admeasuring 2 ½ cents in Natham 'A' Village, Vilavancode Taluk, Kanyakumari District, by considering the petitioner's representation, dated 07.10.2022.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.A.Kannan
Additional Government Pleader



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ORDER

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This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to conduct survey and mark boundaries of the property by sub-dividing the property and issue separate patta with regard to the property in re-survey No.396/12 admeasuring 2 ½ cents in Natham 'A' Village, Vilavancode Taluk, Kanyakumari District, by considering the petitioner's representation, dated 07.10.2022.

2. The case of the petitioner is that she is the owner of the land in re-survey No.396/12 admeasuring 2 ½ cents in Natham 'A' Village, Vilavancode Taluk, Kanyakumari District and she is in possession and enjoyment of the same and the Patta also stands in her name. On 06.05.2022, she made an application to measure and sub-divide the property before the first respondent. The first respondent directed the petitioner to submit an application before the Village Administrative Officer and the petitioner also submitted an application before the Village Administrative Officer, Nattalam. During the course of enquiry, the VAO threatened the petitioner to execute a deed in favour of one Dhas in respect of 0.500 cents. Since there was no proper response from the respondents, on 07.10.2022, the petitioner sent a representation to the respondents for re-surveying the property. Despite the same, no action was



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taken. Hence, the present writ petition has been filed.

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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Considering the above said facts, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation, dated 07.10.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

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

27.10.2022

Index : Yes / No

Internet : Yes/ No

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To

1.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.



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2.The Taluk Surveyor,
Vilavancode Taluk,
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V.BHAVANI SUBBAROYAN, J.

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