



W.P.(MD)No.25137 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.25137 of 2022

Premalatha

.. Petitioner

Vs.

1.The Tahsildar,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.

2.The Taluk Surveyor,
Nilakkottai Taluk Office,
Nilakkottai,
Dindigul District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to carryout appropriate survey, demarcate and fix the boundaries of the petitioner's land comprised in Survey No.164/7A and later sub-divided as Survey No.164/7A1C for a total extent of 8924 1/4 square feet situated in Pallapatti Village, Nilakkottai Taluk, Dindigul District.



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For Petitioner : Mr.R.Thangapandian

For Respondents : Mr.A.Kannan,
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents to carryout appropriate survey, demarcate and fix the boundaries of the petitioner's land comprised in Survey No.164/7A and later sub-divided as Survey No.164/7A1C for a total extent of 8924 1/4 square feet situated in Pallapatti Village, Nilakkottai Taluk, Dindigul District.

2.Heard Mr.R.Thangapandian, learned counsel for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner submitted that the petitioner is the absolute owner of the land bearing survey No.164/7A and later sub-divided as Survey No.164/7A1C for a total extent of 8924-1/4



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square feet situated in Pallapatti Village, Nilakkottai Taluk, Dindigul District, based on the registered Gift Settlement Deed vide document No.1254/2007, dated 09.04.2007 executed by the petitioner's mother namely, Chellammal. Patta was also issued in the name of the petitioner and enjoying the property peacefully. Since the property in question was conveyed to the petitioner out of the larger extent of the property in the survey number in question and in order to demarcate specific boundary for the petitioner's exclusive property, the petitioner wants to measure the above said land and fix boundaries. The petitioner has paid necessary fees vide Challan No.20220113005299, dated 13.01.2022. But no action has been taken by the respondents. Hence, the petitioner has filed the present writ petition.

4. No prejudice would be caused to the respondents, if the representation of the petitioner, dated 13.01.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

5. Accordingly, this Court directs the respondents to survey and fix the boundaries in the petitioner's property in survey No.164/7A



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and later sub-divided as Survey No.164/7A1C for a total extent of 8924-1/4 square feet, situated at Pallapatti Village, Nilakkottai Taluk, Dindigul District, after giving notice to the petitioner and rival claimants, if any, within a period of eight [8] weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs.

04.11.2022

Index : Yes/No
Internet : Yes/No
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To
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Nilakkottai,
Dindigul District.
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Nilakkottai,
Dindigul District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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04.11.2022