



W.P.(MD)No.26852 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26852 of 2022

Maneshwari, D/o.Duraikannu

... Petitioner

Vs

1.The District Collector,
Collector Office,
Sivagangai District – 630 562.

2.The Special Tahsildar,
Ground Rent Survey,
Department of Land Survey,
Manamadurai Taluk,
Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

4.The Firka Surveyor,
Department of Land Survey,
Manamadurai Taluk Office,
Manamadurai – 630 606.

... 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 2 to 4 to carry out the appropriate survey and demarcate the boundaries of the petitioner's own land in G.R.No.332/19, to the extent of 0.03.24 square Meter, which is situated in 1st Ward (New Ward No.18) Manamadurai Town,



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Manamadurai Taluk, Sivagangai Taluk, and consequently, to produce the same survey report to the petitioner as per law based on the petitioners survey payment Challan Application vide 20210914481604 dated 14.09.2021 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents 2 to 4 to carry out the appropriate survey and demarcate the boundaries of her own land in G.R.No.332/19, to the extent of 0.03.24 square Meter, which is situated in 1st Ward (New Ward No.18) Manamadurai Town, Manamadurai Taluk, Sivagangai Taluk, and consequently, to produce the same survey report to her as per law based on her survey payment Challan Application vide 20210914481604 dated 14.09.2021, within a stipulated time that may be fixed by this Court.

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



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3. According to the learned counsel for the petitioner, the properties in question are the ancestral properties of the petitioner's husband namely, Soman and his brothers namely, Ravi and Rajasekaran and they have been issued with joint Patta bearing No.G.R.No.332/19 (New G.R.No.332/554). Subsequently, the legal heirs of the joint Patta holders had executed a release deed in favour of the petitioner and her daughters namely, S.Janai and S.Rani, on 03.07.2020. Thereafter, the petitioner sent a representation on 14.09.2021 to the third respondent along with requisite fees for survey and demarcate their property. Since the said representation has not been considered so far, the petitioner has come up with the present Writ Petition for the relief stated supra.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the petitioner's land would be measured and demarcated on the basis of the petitioner's representation, dated 14.09.2021, after issuing a notice to all the necessary parties concerned, within a time frame to be fixed by this Court.

5. Recording the aforesaid submission made by the learned Special Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to survey and demarcate the



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properties in question, based on the petitioner's representation, dated 14.09.2021, after issuing notice to all the necessary parties concerned, within a period of 16 weeks from the date of receipt of a copy of this order.

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

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Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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