



WEB COPY

W.P.No.16137 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16137 of 2023

K.Soundari

... Petitioner

Vs.

1.The District Collector,
Vellore,
Vellore District.

2.The Tahsildar,
Katpadi Taluk,
Vellore District.

3.The Village Administrative Officer,
Ammundi Village,
Katpadi Taluk,
Vellore District.

4.M.Anadhan

5.S.Saravanan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioners online application dated 01.03.2023 to survey the petitioners property and demark the same and for issuance of the individual patta in the name of the petitioner for the petitioners property situated in Survey No.487/7A1, Ammundi Village, Katpadi Taluk, Vellore District to the extent 1310 $\frac{3}{4}$ Sq.fts. within stipulated period.



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For Petitioner	: No appearance
For R1 to R3	: Mr.P.Sanjay Gandhi, Government Advocate
For R4 & R5	: Mr.K.R.Nishanth

ORDER

The relief sought for in the present Writ Petition is to direct the 2nd respondent to consider the petitioner's online application dated 01.03.2023 to survey the petitioner's property and demark the same and for issuance of the individual patta in the name of the petitioner, situated in Survey No.487/7A1, Ammundi Village, Katpadi Taluk, Vellore District to the extent 1310 $\frac{3}{4}$ Sq.ft.

2. The learned counsel appearing on behalf of the respondents 4 and 5 made a submission that the subject property is an objectionable property, since the husband of the writ petitioner had already sold a portion of the property in favour of the respondents 4 and 5. Therefore, the application submitted by the petitioner to conduct survey cannot be considered.



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3. In the event of any objection from any person, the Government Surveyor cannot conduct survey under the provisions of the Survey and Boundaries Act. In such circumstances, the parties are to be relegated to approach the competent Civil Court of law for appropriate relief.

4. In the present case, there is a dispute between the petitioner and the respondents 4 and 5 and therefore, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of resolving the issues.

5. With these observations, the Writ Petition stands disposed of.
No costs.

22.08.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes



To

- 1.The District Collector,
Vellore,
Vellore District.
- 2.The Tahsildar,
Katpadi Taluk,
Vellore District.
- 3.The Village Administrative Officer,
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S.M.SUBRAMANIAM, J.

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