



W.P(MD)No.9608 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.9608 of 2023

Subbulakshmi

... Petitioner

Vs

1. The Tahsildar,
Office of Taluk Office, Andipatty,
Theni District.

2. The Head Surveyor,
Office of Taluk Office, Andipatty,
Theni 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 respondent 1 and 2 to conduct survey in petitioner's land in Survey No.83 to an extent of 864 sq.ft and in Survey No. 89/1, 89/2, 89/3, 89/4 and 89/5 to an total extent of 4 acres 20 cents situated at G.Usilampatty Village, Andipatty Taluk, Theni District on the basis of her online application, dated 23.03.2023.

For Petitioner

:Mr.C.Jeganathan

For Respondents

:Ms.D.Fajana Ghoushia
Special Government Pleader



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ORDER

The writ petition had been filed in the nature of mandamus, seeking a direction against the respondents/Tahsildar and Head Surveyor of Andipatty Taluk, Theni District, to conduct survey with respect to land in Survey No.83 measuring 864 sq.ft and agricultural lands in Survey Nos. 89/1, 89/2, 89/3, 89/4 and 89/5 measuring 4 acres and 20 cents, at G.Usilampatty Village, Andipatty Taluk, Theni District.

2.In so far as all the agricultural lands are concerned, they originally belonged to the husband as a coparcener in ancestral properties. Subsequently, a partition was effected on 31.03.2004 in Doc.No.1664/2004, by which, the aforementioned agricultural lands were allotted to the husband of the petitioner. Thereafter, the husband of the petitioner had settled the properties in favour of the petitioner, in Doc.No.2119/2022.

3.In so far as the land in S.No.89/3 measuring 864 sq.ft house property is concerned, it stood in the name of husband of the petitioner, who had settled the property in favour of the petitioner on 04.11.2020. It had been further stated that Patta had been mutated in the name of the petitioner for



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both agricultural lands and house property.

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4.A direction to issued to the first respondent, to issue notice to the petitioner, if there are no other impediment, proceed to do the needful. The said exercise should be completed within a period of six weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition stands disposed.

No costs.

24.04.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No
PNM

To

1. The Tahsildar,
Office of Taluk Office, Andipatty,
Theni District.

2. The Head Surveyor,
Office of Taluk Office, Andipatty,
Theni District.



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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