



W.P(MD)No.13609 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13609 of 2023

Kanniammal

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Ootapidaram Taluk,
Thoothukudi District.

2.The Taluk Surveyor,
Taluk Office,
Ootapidaram Taluk,
Thoothukudi District.

3.The Inspector of Police,
Pudhiyamputhur Police Station,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct respondents 1 and 2 to survey and demarcate the property comprised in Punja Land in Patta No. 1240 in Survey No.9/3 to an extent of 49 Ares of this property situated at Keela Arasaradi Village, Ootapidaram Taluk, Thoothukudi District based on the petitioner's representation dated 20.10.2022, within the time frame that may be fixed by this Court.



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For Petitioner : Mr.S.Mandhiralingeswaran
For Respondents : Mr.D.Farjana Ghousia
Special Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction to the respondents 1 and 2 to survey and demarcate the properties in Punja land in patta No.1240 in Survey No.9/3 measuring 49 cents at Keela Arasaradi Village, Ootapidaram Taluk, Thoothukudi District. The petitioner had given a representation on 20.10.2022.

2. The learned Special Government Pleader who had taken notice on behalf of the respondents stated that with respect to the aforementioned lands, there is a joint patta in the name of the petitioner, Velusamy S/o.Muniyandi and consequent to the death of Muniyandi, also his legal heirs Pandaram, Arumuga perumal, Velusamy. Thereafter, consequent to the death of Pandaram, his daughter Uchimakali and after the death of Arumuga Perumal, the names of his daughter Kanniyammal and Velusamy S/o.Muniyandi are also found in the patta.

3. The petitioner cannot get any relief by her application for grant of



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survey. If all the other pattathars accept, then survey may be conducted. If they do not accept and raise objections, then it would only be advisable that the Tahsildar addresses all the parties to go before the Court and divide the land in accordance with the directions of the civil Court.

4. Giving that particular liberty to the Tahsildar to examine the representation of the petitioner and to pass orders within a period of eight weeks, this writ petition stands disposed of. The first respondent may take care to ensure that all the persons whose names are found in the patta, are served with notice and appears before him and thereafter pass orders. The entire exercise may be completed with a period of eight weeks. No costs.

12.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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To

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- 2.The Taluk Surveyor, Taluk Office, Ootapidaram Taluk, Thoothukudi District.
- 3.The Inspector of Police, Pudhiyamputhur Police Station, Thoothukudi District.

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