



WEB COPY



W.P.No.24268 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTAR

W.P No.24268 of 2024

T.Sudha

...Petitioner

Vs.

1.The Commissioner
Office of the Commissioner
Town Hall,
Coimbatore-641 018.

2.The Tahsildar
Coimbatore South Taluk,
Coimbatore-641 018.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to measure petitioner's land bearing S.F.No.512 (after Sub-Division 512/1B) which situated at Upplipalayam village, Coimbatore South Taluk, Coimbatore South Registration District, Singanallur Sub-Registration District with extent of 26.07 cents and demarcate the same.

For Petitioner

: Mr.P.Saravanan

For Respondents

: Mr.D.R.Arunkumar

Standing Counsel for R1

Mr.A.Selvendran

Special Government Pleader for R2



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ORDER

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The petitioner herein seeks a direction to 2nd respondent to measure the petitioner's land bearing Survey No.512 situated in Upplipalayam village, Coimbatore South Taluk.

2. According to the petitioner, her mother Parvathi is entitled to 63 ½ cents of land in Survey No.512 under partition deed of the year 1978. Later, the mother of the petitioner executed a power deed in favour of petitioner's maternal uncle. In pursuance of the same, he sold 36 ½ cents of land to third parties. Therefore, the mother of the petitioner had only 26 cents of land and the same was settled in favour of the petitioner. The petitioner submitted an application before the respondents on 31.07.2024 seeking survey of the 26 cents of land belonged to the petitioner and the same has not been considered. Hence, she is before this Court by way of writ petition.

3. Mr.D.R.Arunkumar, learned Standing Counsel takes notice for the 1st respondent and Mr.A.Selvendran, learned Special Government Pleader takes notice for the 2nd respondent.



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4. The learned Special Government Pleader, who is taking notice for the 2nd respondent, submitted that the application of the petitioner for survey of the land will be considered on its' own merits within a time fixed by this Court.

5. In view of the said position, this Court, without going into the merits of the claim made by the petitioner, is inclined to direct the 2nd respondent to consider the application of the petitioner dated 31.07.2024 for survey of the above mentioned land and pass final orders on its' own merits within a period of six weeks from the date of receipt of copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

27.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.
nr

To

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