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W.P.No.32935 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.32935 of 2024

Vijayalakshmi Krishnaraj

... Petitioner

Vs.

1.The Tahsildar
Ulundurpet Taluk,
Kallakuruchi District.

2.The Surveyor
Elavanasur Kottai,
Land Measurement Department, Pidagam, Ulundurpet,
Kallakuruchi District.

3.The Sub Inspector of Police
Elavanasur Kottai Police Station,
Ulundurpet,
Kallakuruchi.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, direct the Respondents to survey, make subdivision, and fix the boundary stones of the land belonging to the Petitioner in Kallakuruchi, Elavanasur Sub R.D. in Grama natham Old S.No.455/2C and New S.No.832/5 on the Thirukovillur Road, East of Thirukovillur Road, west of her 1st item property through the same settlement deed, North of Kanchamalai house site, South of Risva Sheriff House, site within above 1507 Sq. ft., New S.No.832/5-00120 within the



W.P.No.32935 of 2024.

above boundaries vacant site and the property situated within the Pidagam Panchayat under Ulundurpet Panchayat Union and to give proper police protection to enable the second respondent to measure the land.

For Petitioner : M/s.C.Abiman Reghunath

For Respondents :M/s.R.P.Murugan Raja, Govt. Advocate
for R.1 & R.2
: Mr.R.Vinoth Raja,
Govt. Advocate (Crl.Side) for R.3.

ORDER

The Writ Petition is filed for the issue of a mandamus directing direct the Respondents to survey, make subdivision and fix the boundary stones of the land belonging to the Petitioner in Kallakuruchi, Elavanasur Sub R.D. in Grama natham Old S.No.455/2C and New S.No.832/5 on the Thirukovillur Road, East of Thirukovillur Road, west of her 1st item property through the same settlement deed, North of Kanchamalai house site, South of Risva Sheriff House, site within above 1507 Sq. ft., New S.No.832/5-00120 within the above boundaries vacant site and the property situated within the Pidagam Panchayat under Ulundurpet Panchayat Union and to give proper police protection to enable the second respondent to measure the land.



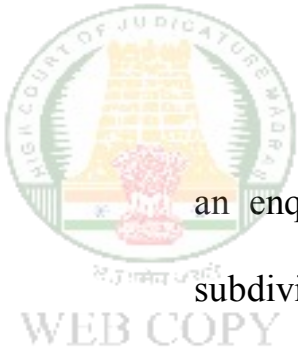
W.P.No.32935 of 2024.

WEB COPY

2. It is the case of the petitioner that she is the absolute owner of the subject property, measuring an extent of 1507 Sq.ft. comprised in Old S.No.455/2C and New S.No.832/5, Elavanasur, Kallakurichi. The petitioner had acquired the subject property by way of a settlement deed dated 22.03.2024 from her husband, Krishanaraj vide document number 1297/2024. Since the petitioner wanted to do fencing of the property, she had made an application with necessary charges on 10.07.2024 to the 2nd respondent to conduct a survey, make subdivisions and fix the boundaries of the petition mentioned property. The same had not been considered to date. Therefore, the petitioner is before this Court.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made an application with necessary charges for conducting survey as early as on 10.07.2024, a mandamus is issued to the respondents 1 and 2 to conduct a survey, make subdivisions and fix the boundaries of the petition mentioned property. The petitioner shall submit all the relevant records to show her title to the property and the respondents 1 and 2 shall, after issuing notice to the adjacent land owners and interested parties, hold



W.P.No.32935 of 2024.

an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request. In the case of a rejection, a speaking order shall be passed. In case, the respondent 1 and 2 require the assistance of police authority, the jurisdictional police shall give necessary protection as and when asked for. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed. No costs.

11.11.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

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Kallakuruchi District.

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W.P.No.32935 of 2024.

P.T. ASHA. J.,

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