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W.P.No.33813 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.33813 of 2024

R. Rukmani

...Petitioner

Vs.

1. The Tahsildar,
Avinashi Taluk,
Tiruppur District.

2. The Taluk Surveyor,
Taluk Office,
Avinashi,
Tiruppur District

...Respondents

Prayer: Writ Petition is filed under Article 226 of the constitution of India to issue a Writ of Mandamus, directing the respondents herein to survey / measure the petitioners lands measuring 0.10, 0.34, 0.39.5, 1.1, 0.75.5 0.71.5 0.1.5 and 0.87.5 hectares in S.F. Nos.54/2A, 54/2B1, 54/2B2, 54/2B3, 54/2B4, 54/2B5, 54/2B6, 54/2B7 respectively situate at Nambiyampalayam Village, Avinashi, Tiruppur District, by considering her on-line Application dated 06.08.2024 within a stipulated period.

For Petitioner : Mr. K.Govi Ganesan



WEB COPY



W.P.No.33813 of 2024

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

Challenging the refusal to survey the petition mentioned property, the petitioner is before this Court.

2. The petitioner's father is the absolute owner of the lands having a $1/3^{\text{rd}}$ share out of $1/8^{\text{th}}$ share in S.F.No.54/2, situate at Nambiyampalayam Village, Avinashi Taluk, Tiruppur. He purchased the same jointly with one Avinashi Gounder vide Sale Deed dated 16.09.1953, registered as Document No.1711 of 1953, on the file of the S.R.O. Avinashi and individually vide sale deed dated 01.10.1958, registered as Document No.1923 of 1958 on the file of the SRO, Avinashi. After the demise of the petitioner's parents, she, along with Saraswathi and Karuppathal succeeded to the said lands as their legal heirs and they have been in absolute possession and enjoyment of the same. They have also obtained Joint Patta in Joint Patta No.1060. The petitioner made an on-line application on 06.08.2024 for surveying and fixing the boundaries of the above said lands. However, the survey has



W.P.No.33813 of 2024

not been conducted to date. Therefore, the petitioner is before this Court.

4. Heard the learned counsels on the either side and perused the records.

5. Considering the facts and circumstances of the case, mandamus is issued to the respondents to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show her title to the property and the respondents shall, after issuing notice to the adjacent land owners and interested parties, hold 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. The aforesaid exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

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



costs.

WEB COPY



W.P.No.33813 of 2024

19.11.2024

Index : Yes/No

Internet : Yes/No

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To

1. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Sriperumbudur, Kanchipuram District,
Tamilnadu.
2. The Tahsildar,
O/o. The Tahsildar, Kundrathur,
Kundrathur, Chennai 600 069



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W.P.No.33813 of 2024

P.T. ASHA, J,

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W.P.No. 33813 of 2024

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