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WP.No.35256 of 2024

In the High Court of Judicature at Madras

Dated : 28.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35256 of 2024

Kanaka

Vs

...Petitioner

1.The Tahsildar, Tahsildar
Office, Uthangarai Taluk,
Krishnagiri District.

2.The Firka Surveyor,
Uthangarai Taluk,
Krishnagiri District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to measure the land comprised in S.F.No.53/9D measuring an extent of P.Hectare 0-1.00 Theervai 0.06, Metuthangal Village, Uthangarai Taluk, Krishnagiri District and earmark the boundaries by considering the online application No.20231007037283 dated 07.10.2023.

For Petitioner : Mr.M.Vignesh
For Respondents : Mr.R.P.Murugan Raja, GA

ORDER



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Seeking a Mandamus to the first respondent to consider her online application dated 07.10.2023 to conduct a survey of the land in S.F.No.53/9D measuring an extent of P.Hectare 0-1.00, Metuthangal Village, Uthangarai Taluk, Krishnagiri District and earmark the boundaries, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondents.

3. The petitioner would contend that she acquired the said property by way of a release deed dated 29.10.2022 registered as doc.No.7829 of 2022 on the file of the Sub-Registrar, Uthangarai executed by her own children in favour of the petitioner. For the purpose of conducting a survey and fix its boundaries, she made an online application dated 07.10.2023 to the first respondent. She also paid the necessary fees. Despite the fact that the said online application was received on 07.10.2023, the first respondent has not taken any steps to survey the land.

4. The fact that the property belongs to the petitioner is seen from the narration in the affidavit filed in support of the writ petition. Since the petitioner acquired the said property by way of a release



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deed, she requested the first respondent to conduct a survey and fix its boundaries.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to conduct survey of the said property. The petitioner shall submit all the relevant records to show her title to the property and the first respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either surveying the said property and fixing its boundaries or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

28.11.2024

To

1.The Tahsildar, Tahsildar
Office, Uthangarai Taluk,
Krishnagiri District.

2.The Firka Surveyor,
Uthangarai Taluk,
Krishnagiri District.

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