



W.P(MD)No.2781

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2781 of 2024

S.Thansila Begum

... Petitioner

Vs

1.The Tahsildar,
Melur Taluk Office,
Melur Taluk,
Madurai District.

2.The Head Surveyor,
Melur Taluk Office,
Melur Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to direct the second respondent to survey the petitioner's property in Old Survey Nos.277/10C and New Town Survey Nos.21/25 and 21/26 in Ward B, Block No.7, Usilampatti Village, Melur Town, Madurai District by considering her husband application, dated 21.11.2023.

For Petitioner

: Mr.S.Atham Ali

For Respondents

: Mr.P.Thambidurai
Government Advocate



WEB COPY

W.P(MD)No.2781



ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to direct the second respondent to survey the petitioner's property in Old Survey Nos.277/10C and New Town Survey Nos.21/25 and 21/26 in Ward B, Block No.7, Usilampatti Village, Melur Town, Madurai District by considering her husband application, dated 21.11.2023.

2. By consent, this writ petition is disposed of at the admission itself.

3.Heard Mr.S.Atham Ali, learned counsel appearing for the petitioner and Mr.P.Thambidurai, learned Government Advocate appearing for the respondents.

4. According to the petitioner, she purchased the land in survey Nos.277/10C to an extent of 5 cents from B.Bama and M.Vinothkumar for a valid consideration in the year 2022 through a registered sale deed in Document No.655/2022, dated 08.02.2022. Thereafter, the property was sub-divided as Town Survey Nos.21/25 and 21/26 in Ward B, Block No.7 and also got patta No.B/7 and she is in peaceful possession and enjoyment of the property. While so, the petitioner decided to survey the above said properties and paid Rs.1,600/- through challan on 21.11.2023 and on the same day, the petitioner's husband submitted a petition to the first respondent



W.P(MD)No.2781

seeking to survey the property. Since, the respondents did not take any action for surveying the land, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5.The learned Government Advocate appearing for the respondents would submit that appropriate direction may be given to the respondents to consider the petitioner's application, dated 21.11.2023, in accordance with law, within a time frame.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to consider the petitioner's application dated 21.11.2023 and after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence and demarcate the lands in Old Survey Nos.277/10C and New Town Survey Nos. 21/25 and 21/26 in Ward B, Block No.7, Usilampatti Village, Melur Town, Madurai District and pass orders in accordance with law and communicate the decision taken by the respondents to the petitioner and others concerned. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P(MD)No.2781

7.This Writ Petition stands disposed of with the above directions. No costs.

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Index : Yes/No

Internet : Yes/No

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09.02.2024

To

1.The Tahsildar,
Melur Taluk Office,
Melur Taluk,
Madurai District.

2.The Head Surveyor,
Melur Taluk Office,
Melur Taluk,
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W.P(MD)No.2781

V.BHAVANI SUBBAROYAN, J.

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