



W.P(MD)No.8412 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8412 of 2024

M.Balapriya

... Petitioner

Vs.

1.The Tahsildar,
Theni Taluk Office,
Theni District – 625 531.

2.The Head Surveyor,
Theni Survey Division,
Theni Taluk Office,
Theni District – 625 531.

3.The Village Administrative Officer,
Unjampatti Village,
Theni Taluk, Theni District – 625 531.

4.The Sub Inspector of Police,
Allinagaram Police Station,
Allinagaram, Theni District.

5.Kannan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to survey the petitioner's land in bearing Patta No.2571 comprised in S.No.



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219/1G1A1A with an extent of 2180.57 sq.ft. out of total 0.71.5 ares (1 acre and 77 cents) situated at Unjampatti Village, Theni Taluk of Theni District on the basis of petitioner's survey fee paid Challan No. 20230630010502 dated 30.06.2023 and representation dated 30.06.2023 within the time stipulated by this Court.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
for R.1 to R.3

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.4

ORDER

Heard both sides.

2.The petitioner is not having patta in her name. After the petitioner obtains patta in her name, she can renew her request for conducting survey. The request for conducting survey is rejected for the present.

3.The learned counsel appearing for the petitioner states the petitioner purchased the petition mentioned property vide sale deed dated 21.10.2022 from one Pounthai and two others. The petitioner applied for mutation of patta.



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4.The learned Additional Government Pleader states there are some issues regarding the validity of the sale deed. I do not want to go into those aspects. The petitioner has submitted a request for mutation of patta before the first respondent on 30.06.2023.

5.The first respondent is directed to consider the petitioner's application and pass appropriate order on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

6.This writ petition is disposed of accordingly. There shall be no order as to costs.

03.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The Tahsildar,
Theni Taluk Office,
Theni District – 625 531.



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G.R.SWAMINATHAN,J.

MGA

- 2.The Head Surveyor,
Theni Survey Division,
Theni Taluk Office,
Theni District – 625 531.
- 3.The Village Administrative Officer,
Unjampatti Village,
Theni Taluk,
Theni District – 625 531.
- 4.The Sub Inspector of Police,
Allinagaram Police Station,
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