



W.P.(MD) No.18918 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.18918 of 2024

Sagayarani

.. Petitioner

Vs.

1.The Thasidhar,
Rameshwaram Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Rameshwaram Taluk,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to survey the land at old survey No.119/1B1B New Survey No.119/1B3 in Pampan Revenue Village, Rameshwaram Taluka, Ramanathapuram District as per Doc.No.348/1987 on the file of the Sub Register, Rameshwaram by considering the petitioner's application No. 2024/0123/27/001734, dated 05.07.2024.



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For Petitioner : Mr.B.Mahendrarajan
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus directing the respondents to survey the lands in old Survey No.119/1B1B, new Survey No.119/1B3 of Pampan Revenue Village, Rameshwaram Taluk, Ramanathapuram District, by considering the petitioner's application No. 2024/0123/27/001734, dated 05.07.2024.

2. From the facts set out in the affidavit, it appears that the property in question belonged to one Perkamans, who was being taken care of by the petitioner's father. The said Perkamans had executed a Will on 30.09.2018 bequeathing the property on the petitioner and his mother. The petitioner has produced patta transfer order dated 05.05.1993, which reflects the name of Perkamans in respect of an extent of 0.03.0 ares in S.No.119/7 around 0.07 cents. On the basis of the above



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Will, the petitioner had requested the respondents to survey the land and subdivide the same *vide* his application dated 05.07.2024. There has been no response to the above. Therefore, the petitioner has moved this writ petition.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner, a mandamus is issued to the respondents to consider the representation of the petitioner dated 05.07.2024 by treating it as an application and conduct the survey and subdivision. The petitioner shall submit all the relevant documents to show her title to the property and the respondents shall after issuing notice to the adjacent owners and the interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and subdividing the property or rejecting the request of the petitioner. In the case of rejection, a speaking order shall be passed. The said exercised shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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

07.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Thasidhar,
Rameshwaram Taluk,
Ramanathapuram District.

2.The Head Surveyor,
Rameshwaram Taluk,
Ramanathapuram District.



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P.T.ASHA, J.

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