



W.P.(MD) No.19571 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.19571 of 2024

Jeya

.. Petitioner

Vs.

1.The District Collector,
Theni,
Theni District.

2.The Tahsildar,
Office of the Taluk Office,
Andipatti Taluk,
Theni District.

3.The Head Surveyor,
Taluk Office,
Andipatti Taluk,
Theni District.

4.The Inspector of Police,
Andipatti Police Station,
Theni District.

5.Sendraya Perumal

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, directing the respondents no.



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2 and 3 to survey and demarcate the petitioner landed properties to an extent of 3 cents comprised in Survey no.276/5A1 property situated at Shanmugapuram Village, Andipatti Taluk and Theni District on the basis of petitioner's application, dated 16.06.2023 within a time frame fixed by this Court.

For Petitioner	:	Mr.B.Arun
For R1 – R3	:	Mr.B.Saravanan Additional Government Pleader
For R4	:	Mr.K.Sanjay Gandhi Government Advocate

ORDER

This writ petition is filed for a mandamus to direct the 2nd and 3rd respondents to conduct survey and mark the boundaries of the property comprised in Survey no.276/5A1 measuring an extent of 3 cents situated in Shanmugapuram Village, Andipatti Taluk and Theni District on the basis of petitioner's application, dated 16.06.2023.

2. The case of the petitioner is that the petition mentioned property originally belonged to one Ackammal. During her life time, she had



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executed a settlement deed in favour of the petitioner's vendor, dated 27.04.2009. Thereafter, the petitioner has purchased the property under a registered sale deed, dated 07.02.2022. On 13.06.2023, the petitioner made an online application for conducting survey in the said property and on 16.06.2023, she had paid necessary fee for the same. Since no further action has been taken on the side of the respondents, the petitioner is before this Court.

3. Though the application has been submitted by the petitioner on 16.06.2023 by way of abundant caution, the learned Additional Government Pleader would submit that fresh application may be submitted by the petitioner and the same will be treated as having given on 16.06.2023.

4. Heard the learned counsel on either side.

5. In view of the submission made by the learned Additional Government Pleader, the petitioner is directed to make a fresh application



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and the payment made on 16.06.2023 shall be treated as payment made for the proposed application. Thereafter, the official respondents are directed to conduct survey and mark the boundaries in the petition mentioned property. The petitioner shall submit all the relevant records to show her title to the property and the official 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 demarcating 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 six (6) weeks from the date of receipt of a copy of this order.

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

16.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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