



W.P.(MD) No.20393 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20393 of 2024

Pooranam Ramu

.. Petitioner

Vs.

1.The Tahsildar,
Melur Taluk,
Madurai District.

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

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to survey the land in S.Nos.66/4B2 and 66/4B4, situate at Silambakonpatti, Melur, Madurai District by considering the challan paid by the petitioner on 09.05.2024 within the stipulated time to be fixed by this Court.

For Petitioner : Mr.S.Sathyachidambaram

For Respondents : Mr.D.S.Nedunchezian
Government Advocate



W.P.(MD) No.20393 of 2024

WEB COPY

ORDER

The petitioner has filed this writ petition for a mandamus to the respondents 1 and 2 to survey the lands in S.Nos.66/4B2 and 66/4B4, situate at Silambakonpatti, Melur, Madurai District, by considering the challan paid by her husband on 09.05.2024.

2. The case of the petitioner is that the aforesaid property was allotted to her father-in-law viz., Vairakalai through family partition. Thereafter, patta was also mutated in his name and patta was granted in Patta No.463. While so, the petitioner's father-in-law had executed a gift deed in favour of her husband viz., Ramu on 18.09.2018. Thereafter, the petitioner's husband was issued with Patta No.507. She would state that her husband is working abroad. In these circumstances, when he returned to his native village on leave on 09.05.2024, the petitioner's husband had submitted an application to survey the aforesaid lands by paying necessary fees. However, there is no response to the same. Thereafter, the petitioner's husband left abroad. Since the petitioner's



W.P.(MD) No.20393 of 2024

husband is working abroad, the petitioner has given an application to survey the petition mentioned properties. But to this also, there is no response. Therefore, the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner's husband made application on 09.05.2024, a mandamus is issued to the respondents to conduct survey and subdivision of the petition mentioned property. The petitioner shall submit all the relevant records to show the title to the property and the 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 subdividing 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 weeks from the date of receipt of a copy of this order.



W.P.(MD) No.20393 of 2024

WEB COPY

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

28.08.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Melur Taluk,
Madurai District.

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



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W.P.(MD) No.20393 of 2024

P.T.ASHA, J.

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