



W.P.(MD) No.20843 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.20843 of 2024

Murugeshwari

.. Petitioner

Vs.

1.The Tahsildar,
Theni Taluk,
Theni District.

2.The Surveyor,
Palanichettipatty,
Theni Taluk, Theni 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 petitioner's land situated in Survey Nos.581/3b3, 581/3b4 having 44 cents and 75 cents with the total of 1 acre 19 cents having Patta No.8131, Veerapandy Village, Theni Taluk, Theni District and lay boundary stones based on the petitioner's application dated 22.08.2023 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.M.Pandian
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has approached this Court for a mandamus directing the respondents to survey her lands situated in Survey Nos.581/3b3 and 581/3b4 having 44 cents and 75 cents with the total of 1 acre 19 cents having Patta No.8131, Veerapandy Village, Theni Taluk, Theni District and lay boundary stones based on the petitioner's application dated 22.08.2023.

2. The petitioner's case is that the lands in Survey Nos.581/3b3 and 581/3b4 to an extent of 1 acre 19 cents of Veerapandy Village, Theni Taluk, Theni District are her mother's property and she was in possession and enjoyment of the same. After the death of the petitioner's mother on 03.06.2013, the petitioner has been put in possession possession and enjoyment of the property. While so, the cousin of the petitioner's



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mother claimed right over the property and wanted the petitioner to leave the same. Therefore, in order to fence the property, the petitioner made an application before the respondents on 22.08.2023 by paying necessary fees to the tune of Rs.1,600/- to survey the lands and lay the boundary stones. However, no orders have been passed on the same. Therefore, the petitioner is before this Court.

3. Mr.B.Saravanan, learned Additional Government Pleader would submit that as the petitioner has already paid a sum of Rs.1,600/-, it would suffice if the petitioner makes an online application along with her file and on filing of such online application, survey will be conducted.

4. Heard both counsels.

5. In view of the submission made by the learned Additional Government Pleader, this Writ Petition is allowed. The petitioner shall file her online application along with relevant records to show her title to the property and the respondents shall, after issuing notice to the adjacent



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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. No costs.

03.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Theni Taluk,
Theni District.

2.The Surveyor,
Palanichettipatty,
Theni Taluk,
Theni District.



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P.T.ASHA, J.

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