



W.P.(MD) No.21198 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21198 of 2024

Thahira

.. Petitioner

Vs.

1.The Tahsildar,
Office of the Tahsildar,
East Taluk, Madurai.

2.The Head Surveyor,
Office of the Tahsildar,
East Taluk, Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent to survey and demarcate the petitioner's property in survey number 43/5 situated at Plot Number 139, Sakkimangalam 2nd bit Sakkimangalam Village, Madurai District within a time frame that may be stipulated by this Court.

For Petitioner : Mr.J.Mohamed Ibrahim

For Respondents : Mr.B.Saravanan
Additional Government Pleader



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ORDER

Seeking a mandamus to the respondents to survey and demarcate her property in S.No.43/5 situate at Plot Number 139, Sakkimangalam 2nd bit Sakkimangalam Village, Madurai District, the petitioner is before this Court.

2. The case of the petitioner is that in the year 2019, the Government allotted free land (petition mentioned land) to her. Subsequently, on 20.02.2019, the first respondent issued free patta (Anupantham) in her favour mentioning her name in the patta and she has been enjoying the property without any issues and is paying all taxes. In this regard, the petitioner made an application on 28.03.2024 to the first respondent to survey and demarcate the above mentioned property. The petitioner has also remitted necessary fee.

3. The petitioner would contend that though the application for survey was made as early as on 28.03.2024, the respondents have not



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taken any action to survey the land. The petitioner has also approached the respondents several times. As no fruitful result arrayed, the petitioner is before this Court.

4. Heard the learned counsel on either side.

5. Considering the request of the petitioner and also the fact that the petitioner has made her representation as early as 28.03.2024, 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 her 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.



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

05.09.2024

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

abr

To

1.The Tahsildar,
Office of the Tahsildar,
East Taluk, Madurai.

2.The Head Surveyor,
Office of the Tahsildar,
East Taluk, Madurai.



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P.T.ASHA, J.

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