



W.P.(MD) No.21347 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.21347 of 2024

Padmavathy

.. Petitioner

Vs.

1.The Tahsildar,
Madurai West Taluk,
Madurai District.

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

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to carry out survey, measurement and demarcation of boundaries of the property measuring to an extent of 10 cents comprised in Survey No. 4/4A1A situated at Karadipatti Village, Madurai West Taluk, Madurai District by considering the petitioner's application, dated 28.03.2024.

For Petitioner : Mr.T.Leninkumar

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



W.P.(MD) No.21347 of 2024

WEB COPY

ORDER

This writ petition is filed for a mandamus to direct the respondents to conduct survey, measurement and mark the boundaries of the property comprised in Survey No.4/4A1A measuring an extent of 10 cents situated in Karadipatti Village, Madurai West Taluk, Madurai District by considering the petitioner's application, dated 28.03.2024.

2. The case of the petitioner is that she has purchased the petition mentioned property under a registered sale deed in document no. 3796/1986, dated 27.08.1986. She has been in possession and enjoyment of the property since then. On 24.07.2019, the petitioner has submitted an application before the 1st respondent for subdivision and mutation of patta. Despite receiving the same, the 1st respondent has not taken any steps. Thereafter, on 28.03.2024, the petitioner has approached the 1st respondent for conducting survey, measurement and demarcation of boundaries and has also 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.



W.P.(MD) No.21347 of 2024

WEB COPY

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made his representation as early as in March, 2024, a Mandamus is issued to the respondents 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 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 eight (8) weeks from the date of receipt of a copy of this order.

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

09.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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W.P.(MD) No.21347 of 2024

P.T.ASHA, J.

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To

- 1.The Tahsildar,
Madurai West Taluk,
Madurai District.
- 2.The Taluk Surveyor,
Madurai West Taluk,
Madurai District.

W.P.(MD) No.21347 of 2024

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