



W.P.(MD) No.22964 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22964 of 2024

P.Muniammal

... Petitioner

Vs.

1. The District Collector,
Madurai,
Madurai District.
2. The Tahsildar,
Madurai North Taluk,
Madurai District.
3. The Head Surveyor,
Madurai North Taluk,
Madurai District.
4. The Taluk Surveyor,
Madurai North Taluk,
Madurai District.
5. The Inspector of Police,
Vadipatti Police Station,
Madurai.
6. Nageswari
7. Saravanan



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8. Nagarajan
9. Moorthy
10. Nagaraja
11. Muthukaruppan
12. Nagu
13. Rathanamala

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 2nd and 3rd respondents to conduct survey and demarcate the boundaries of the petitioner's land situated in S.No.29/2 Vayalur, Madurai North Taluk, Madurai District as per the Challan dated 18.08.2023 within a stipulated time framed by this Court.

For Petitioner	:	Mr.K.Dinesh
For R1 to R4	:	Mr.D.S.Nodem Chezian Government Advocate
For R5	:	Mr. K.Sanjai 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 in Patta No.1115 comprised in Survey and demarcate the boundaries of the petitioner's land situated in S.No.29/2 Vayalur, Madurai North Taluk, Madurai District as per the Challan dated 18.08.2023.



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2. The case of the petitioner is that the petition mentioned property originally belonged to petitioner's husband and he acquired the same through partition among his family members. The petitioner's husband had executed a registered settlement deed in favour of the petitioner, vide Doc.No.2839 of 1951, dated 19.11.1951 and from the date of settlement, she has been in possession and enjoyment of the property. On 18.08.2023, the petitioner's grandson had made an application for conducting survey in the said property and had also paid necessary fee. Despite the same has been received by the official respondents, no action has been taken. Hence, the petitioner has approached this Court.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner's grandson has made an application as early as on 18.08.2023, a Mandamus is issued to the respondents to conduct survey and mark the boundaries in the petition mentioned property. The



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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.

26.09.2024

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

jbr



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P.T.ASHA, J.

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