



W.P.(MD) No.19801 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.19801 of 2016

R.Otchammal

.. Petitioner

Vs.

1.The Tahsildar,
Usilampatti Taluk,
Madurai District.

2.The Firka Surveyor,
Uthappanaicknoor,
Madurai District.

3.Mahalingam

4.Ochu

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider petitioner's legal representation dated 26.09.2016 within a time frame to be fixed by this Court.

For Petitioner : Mr.J.Parekh Kumar



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For R1 & R2 : Mr.D.S.Neduchezhian
Government Advocate

For R3 & R4 : Mr.J.Jeyakumaran

ORDER

This petition is filed for a mandamus directing the respondents 1 and 2 to consider petitioner's legal representation dated 26.09.2016.

2. The case of the petitioner is that she owns a land in S.Nos. 210/7B and 210/6C comprised in Seemanuthu Village, Usilampatti Taluk, Madurai District. Suddenly, the first respondent removed the name of the petitioner and her sister from the joint patta. Hence, the petitioner filed an appeal before the Revenue Divisional Officer, Usilampatti. The appeal came to be allowed and the order of the first respondent herein came to be cancelled. The father of respondents 3 and 4 filed an appeal before the District Revenue Officer, Madurai, but failed to conduct the case properly. Thereafter, the petitioner sent several representations to measure and demarcate the properties, which went in vain and which necessitated the petitioner to file W.P.(MD) No.2761 of



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2011. The said writ petition came to be allowed and as per the order of this Court, the property had been measured and boundaries had been fixed. But, at the instigation of the third respondent herein, once again respondents 1 and 2 measured the property and changed the boundaries. The legal representation dated 26.09.2016 sent to respondents 1 and 2 did not yield any result. Hence the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the fact that the representation has been sent as early as on 26.09.2016 and no orders have been passed till date, a mandamus is issued to respondents 1 and 2 to consider the petitioner's representation. The petitioner shall submit all the relevant records to show their title to the property and respondents 1 and 2 shall, after hearing the fourth respondent and interested parties, if any, 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



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be completed within a period of six weeks from the date of receipt of a copy of this order.

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

08.08.2024

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

abr

To

1.The Tahsildar,
Usilampatti Taluk,
Madurai District.

2.The Firka Surveyor,
Uthappanaicknoor,
Madurai District.



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P.T.ASHA, J.

abr

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