



W.P.(MD) No.23174 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23174 of 2024

Palaniammal

.. Petitioner

Vs.

1.The Tahsildhar,
Karuvanur Village,
Vadippatti Taluk,
Madurai District.

2.The Taluk Surveyor,
Karuvanur Village,
Vadippatti 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 conduct survey and measurement in respect of the land in Survey No. 3/2B, Karuvanur Village, Vadippatti, Madurai North Taluk, Madurai District and to issue survey report to the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.K.Navaneetharaja



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For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking a direction to the respondents to conduct survey and measurement in respect of the land in Survey No.3/2B, Karuwanur Village, Vadippatti, Madurai North Taluk, Madurai District and to issue survey report to the petitioner.

2. The case of the petitioner is that the land measuring an extent of 0.11.0 Ares situate in the aforesaid survey number originally belonged to the petitioner's forefathers and lastly the land was in the possession of the petitioner's mother Velumayil. The patta in Patta No.290 also stood in the name of the petitioner's mother. After the demise of the petitioner's mother, the petitioner, her younger sisters and brothers were jointly enjoying the above said land. While so, the petitioner filed a writ petition in W.P.(MD) No.7893 of 2023 before this Court seeking to



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survey and demarcate her property in S.No.2/3B instead of S.No.3/2B.

The said writ petition was allowed by this Court on 10.04.2023 directing the respondents to issue notice to all the legal heirs and thereafter, take a decision to measure the property within a period of twelve weeks from the date of receipt of a copy of the order. Subsequently, the petitioner came to know that the survey number was wrongly mentioned as S.No. 2/3B instead of 3/2B. The petitioner would submit that she had submitted an online application and requested the respondents to conduct the survey. However, the respondents hesitated to do so stating that the adjacent land owners may object the survey process. Therefore, the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the case of the petitioner, 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



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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 four weeks from the date of receipt of a copy of this order.

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

30.09.2024

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

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To

- 1.The Tahsildhar,
Karuvanur Village,
Vadippatti Taluk,
Madurai District.
- 2.The Taluk Surveyor,
Karuvanur Village,
Vadippatti Taluk,
Madurai District.



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P.T.ASHA, J.

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