



W.P.(MD) No.25523 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25523 of 2024

P.Prema

.. Petitioner

Vs.

1.The Tahsildar,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

2.The Taluk Surveyor,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the second respondent to conduct survey of the property in respect of old Survey Number 235/2A in new Survey Number 439/14 for a total extent of 688.9 Sq.feet (0.00.64 hector) situated at Kovilangkulam Village, Aruppukottai Taluk, Virudhunagar District on the basis of petitioner's application dated 26.04.2022 and remainder representation dated 21.09.2024 within the time frame to be fixed by this Court.



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For Petitioner : Mr.M.Palani
For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

Seeking a mandamus to the respondents to direct the second respondent to conduct survey of the property in respect of old Survey Number 235/2A, new Survey Number 439/14 for a total extent of 688.9 Sq.feet (0.00.64 hector) situate at Kovilangkulam Village, Aruppukottai Taluk, Virudhunagar District on the basis of her application dated 26.04.2022 and reminder representation dated 21.09.2024 within the time frame to be fixed by this Court, the petitioner is before this Court.

2. The case of the petitioner is that the property in Old S.No. 235/2A, New S.No.439/14 of the aforesaid village was purchased by her through registered settlement deed dated 23.02.2021 from her brothers and patta was also mutated in her favour and from the date of purchase, she has been in possession and enjoyment of the petition mentioned property. While so, the petitioner wanted to fix four boundaries of the



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petition mentioned land for better enjoyment of the property without any disturbances from others. Therefore, she had made an application to the first respondent for survey. She has also paid necessary fee as directed by the first respondent on 26.04.2022. The first respondent, on receiving the same, had intimated that the survey will be conducted within a week or two, but no survey was conducted by the first respondent. Thereafter, the petitioner approached the respondents in person with a remainder representation on 20.09.2024. However, to that also, there is no response forthcoming from the respondents. Therefore, this writ petition.

3. Heard the learned counsel on either side.

4. Considering the request of the petitioner and also the fact that the petitioner has made her representation as early as as 20.09.2024, 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



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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.

25.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Tahsildar,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

2.The Taluk Surveyor,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.



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P.T.ASHA, J.

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