



W.P.(MD) No.25056 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25056 of 2024

Nelliyammal

.. Petitioner

Vs.

1.The Tahsildar,
Nilakottai ,
Dindigul District.

2.The Surveyor,
Batlagundu Taluk,
Dindigul District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation (survey payment receipt) 14.09.2024 and consequently direct them to measure, survey and fix the boundary line bearing old Survey No.967/2013, new Survey No. 1465/2024 situated at South Street, Khattakamanpatti, Batlagundu, Dindigul District and South street.

For Petitioner : Mr.U.Antony Santhosh



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For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus to direct the respondents to consider the petitioner's representation (survey payment receipt), dated 14.09.2024 and consequently direct them to measure, survey and fix the boundary line bearing old Survey No.967/2013, new Survey No. 1465/2024 situated at South Street, Khattakamanpatti, Batlagundu, Dindigul District and South street.

2. The case of the petitioner is that the petition mentioned property was allotted to the petitioner's husband as assignment land to an extent of 2 cents and thereafter, house patta was also issued by Special Tahsildar, Nilakottai. After the demise of her husband, she is in enjoyment of the property. Since her adjacent land owners trying to usurp her land, she had made an application 14.09.2024 and had also paid necessary fee for conducting survey in her property. Since no further action has been taken on the side of the respondents, the petitioner is before this Court.



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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 in September, 2024, a Mandamus is issued to the 1st respondent 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 1st respondent 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.

23.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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P.T.ASHA, J.

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To

1.The Tahsildar,
Nilakottai ,
Dindigul District.

2.The Surveyor,
Batlagundu Taluk,
Dindigul District.

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