



W.P.(MD) No.25864 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25864 of 2024

Karbagaeswari

.. Petitioner

Vs.

1.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

2.The Surveyor,
Kulathur Taluk,
Pudukkottai District.

3.The Inspector of Police,
Vellanoor Police Station,
Pudukkottai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent No.1 and 2 herein to conduct survey and demarcate four boundaries in respect of the property comprised in Sur.No. 7/15A situated at Vellanur Village, Kulathur Taluk, Pudukkottai District with the aid of the respondent No.3 and consequently direct the respondent No.1 and 2 to issue survey report within a stipulated time period in accordance with law on the basis of the



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applications, dated 23.02.2021 and 02.08.2024.

For Petitioner : Mr.C.Senthil Murugan
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.K.Gnanasekaran
Government Advocate(Crl.Side)

ORDER

This writ petition is filed for a mandamus to the respondents 1 and 2 to conduct survey and demarcate four boundaries in respect of the property comprised in Survey No.7/15A situated at Vellanur Village, Kulathur Taluk, Pudukkottai District with the aid of the respondent No.3 and consequently direct the respondent No.1 and 2 to issue survey report within a stipulated time period in accordance with law on the basis of the applications, dated 23.02.2021 and 02.08.2024.

2. It is the contention of the petitioner that the petition mentioned property originally belonged to her husband pursuant to the partition deed, dated 13.10.2020. He in turn had executed a gift deed in favour of the petitioner on 02.11.2020. Subsequently, the revenue records were



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mutated in favour of the petitioner and she has been in possession and enjoyment of the same. In order to ascertain the exact measurement, the petitioner's mother on behalf of the petitioner had approached the 1st respondent on 23.02.2021 and also paid necessary fee for surveying the property. Since no action has been taken on the side of the respondents, the petitioner had again paid fee on 02.08.2024 for surveying the property. Aggrieved by the inaction on the side of the official respondents, the petitioner is before 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 mother had made her application in February 2021, a Mandamus is issued to the respondents 1 to 2 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 respondents 1 and 2 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter proceed to



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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 four (4) weeks from the date of receipt of a copy of this order.

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

28.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The Tahsildar,
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Pudukkottai District.

2.The Surveyor,
Kulathur Taluk,
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3.The Inspector of Police,
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P.T.ASHA, J.

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