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W.P.No.1702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1702 of 2025

Tamilselvi

...Petitioner

Vs.

1.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.

2.The Head Surveyor,
Survey Department,
Kallakurichi Taluk,
Kallakurichi District.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the respondents, particularly, the 2nd respondent to survey and demarcate the boundaries of the petitioner's property comprised in Survey No.391/9 (Old Survey No.117/A), situated in Emapper Village, Kallakurichi Taluk, Villupuram District, Tamil Nadu, measuring 0-4.28 hectares, based on the application made on 04.12.2024 vide Application No.2024/N123/33/004595 to the 2nd respondent along with necessary fees paid to the respondents, within a reasonable time frame.



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For Petitioner : Mr.D.Murugan
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Challenging the refusal to survey the suit property, the petitioner is before this Court.

2. The petitioner would submit that she is the lawful owner of the property situated in Survey No.391/9, situated in Emapper Village, Kallakurichi Taluk, Villupuram District, Tamil Nadu which was inherited through a valid registered Will dated 04.03.1999. She is in possession and enjoyment of the said property. Since disputes had arisen regarding boundaries and encroachments with the neighbouring owners, the petitioner approached the respondents requesting to survey and demarcate her property. In this regard, she submitted an application on 04.12.2024 vide Application No.2024/N123/33/004595 to the 2nd respondent along with necessary fees. However, there was no action taken by the respondents to date. Therefore, the petitioner is before this Court.



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3. Heard the learned counsels on the either side and perused the records.

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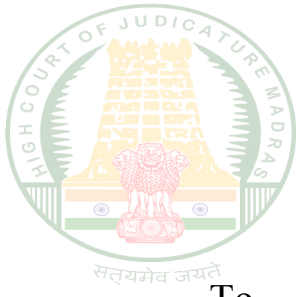
4. Considering the facts and circumstances of the case, mandamus is issued to the 2nd respondent to conduct survey of the petition mentioned property. The petitioner shall submit all the relevant records to show her title to the property and the respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders either surveying and 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 8 weeks from the date of receipt of a copy of this order.

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

28.01.2025

Index: Yes/No
Internet : Yes/No
srn

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To
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1.The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.

2.The Head Surveyor,
Survey Department,
Kallakurichi Taluk,
Kallakurichi District.



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P.T. ASHA, J,

srn

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