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W.P.No.1473 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1473 of 2025

V.Santhi

...Petitioner

Vs.

1.The District Collector,
Office of Collectorate,
Tiruvannamalai District,
Tiruvannamalai-606 604.

2.The Tahsildar,
The Office of Tahisildar,
Vandavasi Taluk,
Tiruvannamalai District-604 408.

3.The Town Surveyor,
Vandavasi Municipality,
Vandavasi Taluk,
Tiruvannamalai District – 604 408.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the respondents 2 and 3 to survey and sub-divide the writ petition property in Survey No.278/3 0.18 acres in Gejalakshmi Nagar and issue Patta jointly in the name of Petitioner's



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Petitioner's son, Petitioner's daughter and Petitioner's mother-in-law
based on petitioner's representation dated 01.07.2024.

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For Petitioner	:Mr.P.Satheesh Kumar
For Respondents 1 to 3	:Mr.P.Sathish
	Additional Government Pleader

ORDER

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

2. The petitioner would submit that her husband had purchased a
property admeasuring 1140 sq.ft., comprised in S.No.278/3 0.18 acres
in Gejalakshmi Nagar, Vandavasi Town, Vandavasi Taluk,
Tiruvannamalai District, under a sale deed dated 08.02.2002 registered
as Document No.227 of 2005 in the office of Sub-Registrar, Vandavasi
from one Padmavathi@ Padmajothi. Subsequent to the purchase, her
husband had obtained a plan approval for the building. Though the
plan was approved on 14.09.2005, he was unable to proceed with the



construction. He died on 26.12.2023. Even during his life time, as the Government authorities including the respondents herein had started to interfere with the possession of the property by fixing the electric post, her husband had filed a suit in O.S.No.84 of 2007 on the file of the District Munsif Court, Vandavasi and the suit was decreed. After the death of her husband, she has been taking care of his properties along with her son, daughter and her mother-in-law. Since the said property was not sub-divided and the names of erstwhile vendors are reflecting in the Revenue Records, she made a representation to the 2nd respondent on 01.07.2024 for survey and sub-division of her property and for issuance of joint patta in her name as well as in the names of her son, her daughter and her mother-in-law. However, the survey has not been conducted to date. Therefore, the petitioner is before this Court.

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, a mandamus is issued to the respondents 2 and 3 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 respondents 2 and 3 shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, proceed to pass orders on the petitioner's representation dated 01.07.2024. 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.

23.01.2025

Index: Yes/No

Internet : Yes/No

srn



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