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WP No. 39691 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 39691 of 2024

S.V. Mahalakshmi

... Petitioner

Vs

1 The District Collector
Tiruppur District Collectorate
Tiruppur.

2 The Tahsildar,
Udumalpet Taluk,
Tiruppur District.

3 The Surveyor,
Udumalpet Taluk,
Tiruppur District.

4 Jayapaul

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Mandamus, directing the 2nd and 3rd Respondents to complete the survey of lands belonging to the Petitioner in S.F.No. 147/C1E, 147/B2, 147/C1A, 147/C1C in all measuring an extent of 1.83 hectares equivalent to 4.52 acres situate in Ganapathypalayam Village, Udumalpet Taluk, Tirupur District, within a time fixed by this Court.



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For Petitioner : Mr.N.C.Ashok Kumar

For Respondents 1 to 3 : Mr G.Velu
Additional Government Pleader

ORDER

The above writ petition has been filed seeking a mandamus to the respondents 2 and 3 to survey the lands of the petitioner measuring an extent of 1.83 hectares situate in S.F.No. 147/C1E, 147/B2, 147/C1A, 147/C1C, Ganapathypalayam Village, Udumalpet Tauk, Tirupur District.

2. The case of the petitioner is that the aforesaid property was the ancestral property of her husband and that this property came to the hands of the petitioner through a settlement deed executed by her husband on 18.10.2024. Thereafter, the petitioner had applied for surveying the said property and necessary fee was paid. On 27.11.2024, when the Surveyor and Tahsildar visited the property along with Village Administrative Officer for surveying, the fourth respondent, the adjacent land owner objected to it. Therefore, the respondents 2 and 3 could not complete the survey. Hence, the petitioner is before this Court with a prayer to conduct survey of her property



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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, a mandamus is issued to the respondents 2 and 3 to conduct survey of the petition mentioned property. In case, the 4th respondent objects a written objection shall be called for. 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 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.

06.01.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn



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To:

- 1 The District Collector
Tiruppur District Collectorate
Tiruppur.
- 2 The Tahsildar,
Udumalpet Taluk,
Tiruppur District.
- 3 The Surveyor,
Udumalpet Taluk,
Tiruppur District.



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P.T.ASHA, J.,

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