

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WP.No.18514/2015

P.Madhesh

..Petitioner

Versus

1.The District Collector
Dharmapuri District.

2.The Tahsildar
Dharmapuri District.

3.The Assistant Director
District Land Survey Department
District Land Survey Office,
Dharmapuri - 5.

4.The Taluk Head Surveyor
Dharmapuri Taluk, Dharmapuri District.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the petitioner's representation dated 27.03.2015 and thereby direct the respondents to measure the petitioner's property situated at Survey No.254/1 re-survey No.254/1A to an extent of 0.53 cents out of 0.85 ares Virupatchipuram Revenue Village, Dharmapuri Taluk and District and issue separate patta in respect of 0.53 cents out of 0.85.0 ares of land in the name of the petitioner without any further delay.

For Petitioner : Mr.B.Sundarapandiyan
For Respondents: Mr.R.Govindasamy, AGP

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims right, title and possession in respect of the land and property situated in Survey No.254/1 [re-survey No.254/1A], Virupatchipuram village, Dharmapuri Taluk, by virtue of a registered Sale Deed bearing Document No.1498/2000 dated 08.09.2000 registered on the file of the Joint Sub Registrar, Dharmapuri. The

petitioner having found that Patta No.148 in respect of the said land is a joint one, submitted an application / representation dated 25.09.2012, praying for a separate patta. It was also followed by a reminder dated 28.10.2013. Since no orders have been passed, the petitioner came forward to file this writ petition.

3. Learned counsel for the petitioner would submit that the 3rd respondent has also forwarded the application of the petitioner dated 25.09.2012 to the 2nd respondent for appropriate action and in spite of it, no action has been taken so far. Hence, the petitioner is constrained to file this writ petition.

4. Heard Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. This Court, taking into consideration, the limited scope of the prayer sought for by the petitioner and without going into the merits of the said representation, directs the 2nd respondent to consider and dispose of the petitioner's application dated 25.09.2012 as well as the reminder dated 28.10.2013 in accordance with law, after putting on notice the persons concerned and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the persons concerned.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Dharmapuri District.

2.The Tahsildar
Dharmapuri District.

3.The Assistant Director
District Land Survey Department
District Land Survey Office,
Dharmapuri - 5.

4.The Taluk Head Surveyor
Dharmapuri Taluk, Dharmapuri District.

+1cc to Mr.B. Sundarapandiyan, Advocate, S.R.No.31694
+1cc to the Government Pleader, S.R.No.31832

NM(CO)
EU(NM/07/2015)

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