

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 08-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.20334 OF 2015

Ranganathan

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Petitioner

-vs-

1.The District Collector,
Villupuram.

2.The Sub-Collector,
Tindivanam.

3.The Taluk Surveyor,
Gingee.

4.The Village Administrative Officer,
Sevalapurai Village (North),
Gingee Taluk.

5.Gopal

...

Respondents

Writ Petition has been filed, praying for issuance of a writ of mandamus, directing the respondents to survey and measure the property of the petitioner in S.No.59/1F totalling 2.64 acres as per the partition deed, dated 13.07.1995, and the sale deed, dated 22.06.1979, and thereby issue patta in favour of the petitioner for the above said extent of the property situate in S.No.59/1F at Sevalapurai Village (North), Gingee Taluk, Villupuram District, and also cancel the patta issued in favour of the fifth respondent in new S.No.59/1F1A and 59/1F1B.

For petitioner : Mr.N.Suresh

For respondents 1 to 4 : Mr.V.Subbiah,
Spl.Govt.Pleader.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner claims that he is the absolute owner of the property admeasuring an extent of 2.64 acres in S.F.No.59/1F in Sevalapurai Village (North), Gingee Taluk, Villupuram District. According to him, in a partition that took place between his father and his sons, including the petitioner, on 13.07.1995, by means of a registered document No.1848/1975, he was allotted 'E' Schedule properties, in which, Serial No.14 is Dry No.59/1, admeasuring 1.34

acres. He would further state that his wife is no more and, when she was alive, she purchased an extent of 1.30 acres out of 9.46 acres in the said survey number and both of them are entitled to 2.64 acres. It is also his case that though he is issued with patta No.605 for S.No.59/1F2, the extent involved therein is lesser than what they are actually entitled to. In order to rectify the same, he submitted a representation, dated 26.05.2015, to the Sub-Collector, Tindivanam, who, by his proceedings, dated 11.06.2015, directed the Tahsildar, Gingee, to look into the matter. The petitioner also issued a legal notice to the respondents on 06.05.2015, to cancel the patta issued in favour of the fifth respondent and since the petitioner is not favoured with any response, he has come forward to file this Writ Petition.

3. Heard the submissions of Mr.V.Subbiah, learned Special Government Pleader, who accepted notice on behalf of respondents 1 to 4.

4. Though the petitioner has prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioner, directs the Tahsildar, Gingee, to consider and dispose of the petitioner's representation, dated 26.05.2015, 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 the persons concerned.

5. Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The District Collector,
Villupuram.

2.The Sub-Collector,
Tindivanam.

3.The Taluk Surveyor,
Gingee.

4.The Village Administrative Officer,
Sevalapurai Village (North),
Gingee Taluk.

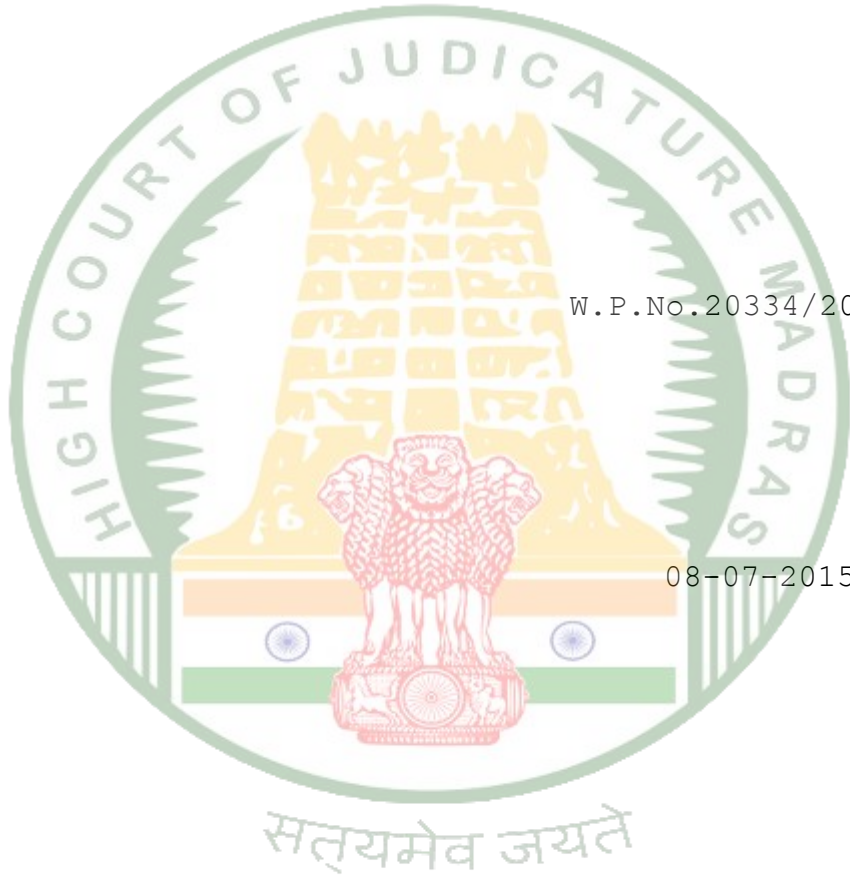
5.The Tahsildar, Gingee.

1 cc to Mr.N.Suresh , Advocate Sr.No.34498

1 cc to Government Pleader.Sr.No.34762

M.SATHYANARAYANAN, J.

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W.P.No.20334/2015

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