



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.5124 of 2011

P.Subbiah

... Petitioner

Vs.

1.The Tahsildar,
Kovilpatti Taluk,
Kovilpatti, Tuticorin District.

2.The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent the Tahsildar Kovilpatti Taluk to demarcate the petitioners lands situated in survey nos. 901/1 and 901/3 Nalattinputthur village, Kovilpatti Taluk, Tuticorin District.

For Petitioner

: Mr.J.Parekhkumar

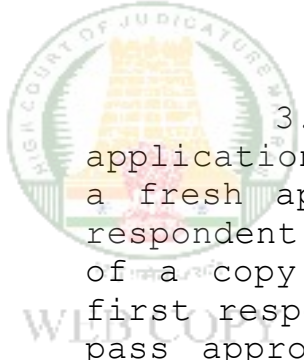
For Respondents

: Mr.N.S.Karthikeyan, AGP

ORDER

According to the petitioner, he has purchased the property in Survey Nos.901/1 and 901/3 by way of registered sale deed dated 17.02.1987. It is stated that when there was a dispute between the petitioner and his vendor namely, Lakshmiammal during the year 1993, she created a cancellation deed dated 02.12.1993 for cancelling the deed which was executed in favour of the petitioner. Thereafter, there was a compromise between the petitioner and his vendor namely, Lakshmiammal during the year 2007 and therefore, she executed a registered cancellation deed dated 25.08.2008 for cancellation of her earlier cancellation deed dated 02.12.1993.

2.It is further submitted that the petitioner has made an application to the first respondent herein on 05.09.2008 to survey and sub divide the petitioner's land to the extent of 1.30 acres and 70 cents situated in the above said survey numbers as per his sale deed. Since no order has been passed, the present writ petition has been filed.



3.Considering the fact that the petitioner has made application in the year 2008, the petitioner is directed to submit a fresh application for the above said relief before the first respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the first respondent is directed to consider the said application and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks thereafter, after giving sufficient opportunity to the petitioner as well as to the rival claimants if any.

4.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

sms

To

1.The Tahsildar,
Kovilpatti Taluk,
Kovilpatti, Tuticorin District.

2.The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

+1CC to Spl.Government Pleader Sr.No.62309

+1CC to Mr.J.Parekhkumar, Advocate Sr.No.62096

GJM/DB/8.11.16-2p-5C

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