

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.14756 of 2017

P. Chinnaponnu

... Petitioner

Vs.

1.The District Revenue Officer,
Collectorate, Villupuram,
Villupuram District.

2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3.The Tahsildar,
Taluk Office,
Sankarapuram,
Villupuram District.

4.Angappan

5.Perumal

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the respondents 1 to 3 to survey through qualified surveyor, petitioner's agricultural land to the extent of 0.19 cents out of 1 acre and 11 cents comprised, within the boundary mentioned in the petitioner's sale deed dated 01.09.1984 duly registered on 03.09.1984 Doc. No.831 in the survey filed No.135/6 (as per UDR Survey filed No.135/6A measuring 90 cents (36.50 ares) pongipattu Village, Sankarapuram T.K. Villupuram District) on the strength of documents like petitioner's sale deed, F.M.B., Village map, Online Chitta, land revenue receipts etc. annexed in the typed set in writ petition and available with Revenue Department and consequently to direct the respondents 1 to 3 herein to issue separate patta to the petitioner, after effecting sub-division in respect of petitioner's land to the extent of 0.19 cents based on the Survey and documents annexed in the typed set in writ petition by following procedure established Tamil Nadu patta passbook Act 1983, Tamil Nadu Patta Passbook Rules 1987 and G.O. No.210 dated 08.07.2011 and survey and boundary Act 1923 read with Article 300A of the Constitution of India by taking into consideration, representation dated

09.04.2017 subsequent to the online applicaton
No.2016/0105/07/009012 dated 01.06.2016.

For Petitioner : Mr.P. Sankar
For Respondents : Mr. A.N. Thambidurai,
(1 to 3) Special Government Pleader

O R D E R

Mr. A.N. Thambidurai, learned Special Government Pleader, takes notice for the respondents 1 to 3.

2. By consent, the main writ petition itself is taken up for disposal, at the admission stage itself.

3. The petitioner has filed the above Writ Petition to issue a writ of mandamus, directing the respondents 1 to 3 to survey through qualified surveyor, his land measuring to the extent of 0.19 cents out of 1 acre and 11 cents comprised, within the boundaries mentioned in his sale deed dated 01.09.1984, in Survey field No.135/6, Pongipattu Village, Sankarapuram Taluk, Villupuram District, on the strength of the documents like his Sale Deed dated 01.09.1984, F.M.B., Village Map, Online Chitta, Land Revenue Receipts etc., available with the Revenue Department and consequently to direct the respondents 1 to 3 to issue separate Patta to him, after effecting sub-division in respect of his land, to an extent of 0.19 cents, based on the survey and documents and based on his representation dated 09.04.2017.

4. The learned counsel appearing for the petitioner submitted that inspite of the petitioner's representation dated 09.04.2017, the third respondent has not considered the same and passed any order so far.

5. The learned Special Government Pleader for the respondents 1 to 3 submitted that the 3rd respondent may be directed to consider the petitioner's representation dated 09.04.2017 and pass orders, in accordance with law, after giving notice to the respondents 4 and 5.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 3rd respondent to consider the petitioner's representation dated 09.04.2017 for surveying his land and for issuance of Patta and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving notice to the respondents 4 and 5.

With this observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rg/nl

To

1.The District Revenue Officer,
Collectorate, Villupuram,
Villupuram District.

2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3.The Tahsildar,
Taluk Office,
Sankarapuram,
Villupuram District.

+1 cc to M/s.P.Sankar Advocate sr 42158

+1 cc to the Government Pleader High Court Madras
sr 42064

W.P.No.14756 of 2017

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aa21/06/2017

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