



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.8459 of 2017

P.Karuppiah

..Petitioner

Vs

The Tahsildar,
Kadavur Taluk,
Karur District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of writ directing the respondent to survey and subdivide and issue a separate patta to the petitioner in respect of the property in S.No.640/2 of Palaviduthi Village, Karur District.

For Petitioner : M/s.K.Govindarajan

For Respondent : Mr.M.Alagathevan
Spl.Govt.Pleader

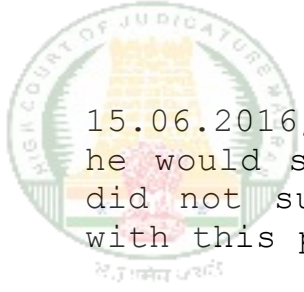
ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondent to survey and issue a separate patta to petitioner in respect of the properties in Survey No.640/2 of Palaviduthi Village, Karur District.

2. By consent of both parties, the main Writ Petition is taken up for disposal.

3. The Petitioner would submit that he along with his brother Subbiah purchased jointly to an extent of 3 acres in Survey No.640/2 in the year 2003. Thereafter, his brother Subbiah sold 75 cents to the petitioner and thereby he became the owner of 2.25 acres in Survey No.640/2 of Palaviduthi Village, Karur District.

4. The petitioner would state that he decided to enjoy his property separately and therefore on 08.07.2011, he paid survey fee to the respondent. Since the respondent did not take any effective steps, again on 1.12.2015, he paid the prescribed fee to survey his land. The petitioner would further state that on



15.06.2016, the respondent issued a notice to the petitioner that he would survey the land on 22.06.2016. However, the respondent did not survey his property, hence the petitioner has come up with this present Writ Petition.

5. The petitioner would also submit that the petitioner is ready to pay necessary fees to survey and sub-divide the land.

6. The respondent has filed a counter stating that the respondent is ready to measure and sub-divide the property of the petitioner as per provisions on payment of Sub-Division fee along with measurement fee.

7. Considering the above facts, this court directs the respondent to survey the property of the petitioner and sub-divide the land in Survey No.640/2 of Palaviduthi Village, Karur District, after necessary payment made by the petitioner as expeditiously as possible, preferably within the period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

The Tahsildar,
Kadavur Taluk,
Karur District.

+1 cc to Mr.K.Govindarajan , Advocate in SR.No. 59033

TA/CP

AE/SKN RSK/SAR1/30.06.2017/2P/3C

W.P (MD) No.8459 of 2017
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