

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.5404 of 2020

R.Raghavan

Petitioner

vs.

1. The Tasildhar
Sholinghur Taluk,
Ranipettai District -631 102.

2. The Taluk Head Surveyor,
Sholinghur Taluk Office,
Ranipettai District -631 102.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner representation dated 23.01.2020 within a stipulated time fixed by this Court, Consequently, to direct the respondents to measure and survey the petitioner property and to issue separate Patta in the name of petitioner after effected sub division in Joint Patta No.308 in S.No.381/5A1 measuring about to an extent of 5 cents out of 10 cents situated at, Chengalnatham Madura Rampuram Village, Sholinghur Taluk, Ranipettai District.

For Petitioner : Mr.R.Anandha Babu
For Respondents : Mr.S.N.Parthasarathi
Government Advocate

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondent to consider the representation made by the petitioner and to survey the land and issue separate patta in the name of the petitioner.

2.The case of the petitioner is that he and his brother have been jointly issued a Patta in Patta No.308. According to the petitioner, he is the separate owner of 5 cents out of total 10 cents in Survey No.381/5A1. The petitioner therefore, wants his property to be measured and sub divided and a Patta to be issued to him insofar as the 5 cents of land is concerned. The

petitioner has made a representation in this regard and also paid the necessary charges.

3.The petitioner approached this Court on an earlier occasion by filing W.P.No.791 of 2020. It was brought to the notice of this Court that due to bifurcation of the Districts, the jurisdiction has been vested upon the Tahsildar of Sholighur Taluk. Therefore, the writ petition was withdrawn with a liberty to file a fresh writ petition and in the present writ petition the concerned Tahsilar has been made as a respondent.

4.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 23.01.2020 and conduct an enquiry in accordance with law, and if necessary by issuing notice to the appropriate parties and thereafter, take a decision, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the representation dated 23.01.2020 and a copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Tasildhar
Sholinghur Taluk,
Ranipettai District -631 102.

2. The Taluk Head Surveyor,
Sholinghur Taluk Office,
Ranipettai District -631 102.

+2 CC to M/s.R.Anandha Babu, Advocate Sr. No.20063

+1 CC to The Government Pleader, High Court, Madras. Sr.No.20206

W.P No.5404 of 2020

GP (CO)

RPP (21/05/2020)

04.03.2020



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