

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9778 of 2020

Kumar,
S/o.Arumugam.

... Petitioner

Vs.

The Tahsildar,
Sulur Tahsildar Office,
Sulur,
Coimbatore District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the respondent to remeasure and subdivide the property in S.F.No.568 by considering the petitioner's representation dated 09.12.2019 within a period of a time frame as fixed by this Court.

For Petitioner :Mr.D.R.Arun Kumar

For Respondent :Mr.S.N.Parthasarathi,
Government Advocate.

O R D E R

This Writ Petition has been filed for issuance of writ of mandamus directing the respondent to consider the petitioner's representation made on 09.12.2019 and measure the property and undertake the process of sub-division within the time fixed by this Court.

2.The case of the petitioner is that the subject property was owned by his father and he executed a settlement deed in favour of the petitioner and his sister in the year 2013. Thereafter, there was a sub-division which subsequently was nullified by the proceedings of the District Revenue Officer (DRO), dated 23.03.2018 and DRO directed the respondent to remeasure the property in accordance with the title documents and

make a fresh sub-division.

3.After the orders passed by the DRO, the petitioner made a representation on 09.12.2019 to the respondent to measure the property to undertake the sub-division as per the directions issued by the DRO. The grievance of the petitioner is that the respondent in spite of receiving the representation did not take any action and therefore the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.D.R.Arun Kumar, learned counsel appearing on behalf of the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate, appearing on behalf of the respondent.

5.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 09.12.2019 in line with the direction issued by the DRO by proceedings dated 23.03.2018 and take necessary action in accordance with law. The respondents shall issue notice to all the interested parties before undertaking the survey. This process shall be completed within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondent along with 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

rm

To

1. The Tahsildar,
Sulur Tahsildar Office,
Sulur,
Coimbatore District.

+1cc to M/s.D.R.Arun Kumar, Advocate, Sr.No.25477
+1cc to Government Pleader, Sr.No.25629

W.P.No.9778 of 2020

VS (CO)
GS (24/08/2020)