

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10532 of 2020

Vithiriputhiran

... Petitioner

Vs.

1.The State rep by
The District Collector,
Office of the Collectorate,
Dharmapuri District,

2.The Tahsildar,
Dharmapuri Taluk Office,
Dharmapuri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the second respondent to survey the land in Kondaharahalli Village, Punja Land Survey No.25/5-94 and Patta No.37 at Door No.1/42, Kanikaran Kottai, Kondaharahalli, V.Muthampatti Post, Dharmapuri District 635 301 and direct them to intimate the same within a stipulated period before this Court.

For Petitioner :Mr.K.Bhoopathy Rajan

For Respondents:Mr.K.Parameshwaran, Government Advocate

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus directing the second respondent to consider the representation made by the petitioner and to conduct a survey of the land within the time stipulated by this Court.

2.The case of the petitioner is that his mother Kasiammal and his uncle had jointly purchased the subject property in the year 1951. The further case of the petitioner is that the property was orally partitioned among the family members and the mother of the petitioner was also issued with a patta. After the demise of his mother, the petitioner claims to be the owner of the property.

3.The petitioner made a representation on 09.06.2020 to the second respondent requesting for conducting a survey in the property. The petitioner further claims that the necessary fee was also paid on 29.06.2020. Since there was no response from the side of the second respondent, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.K.Bhoopathy Rajan, learned counsel appearing on behalf of the petitioner and Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the respondents.

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 second respondent to consider the representation made by the petitioner on 09.06.2020 and to act upon the same strictly in accordance with law and take a decision with regard to conducting the survey based on the title document of the petitioner. The said process shall be completed within in a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the representation dated 09.06.2020 and all other connected documents and also a copy of this order.

6.This writ petition is disposed of with above direction.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vkr

To

1.The District Collector,
Office of the Collectorate,
Dharmapuri District.

2.The Tahsildar,
Dharmapuri Taluk Office,
Dharmapuri District.

3.The Government Pleader,
High Court, Madras.

+1 cc to Mr.S.Sujatha, Advocate Sr.No. 26899

W.P.No.10532 of 2020

VGII(CO)
RMP(04/09/2020)