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IN THE HIGH COURT OF JUDICATURE AT MADRAS

CORAM

Date : 27.08.2020

THE HONURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11468 of 2020

Mr.Madhu, S/o.Mariappan

... Petitioner

.vs.

1. The Tahsildar,
Kadaiyampatti Taluk, Salem District.

2. The Head Surveyor,
Office of the Tahsildar,
Kadaiyampatti Taluk, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Mandamus directing the respondents to issue a separate patta by Sub-dividing based on the application No.2019/0105/08/125075, dated 27.11.2019 and 18.02.2020 in respect of the property comprised in Resurvey No.89/4 admeasuring an extent of 1.62 ½ acres out of the total extent of 3.25 acres situate at Denishpettai Villae, Kadaiyampatti Taluk, Salem District within a time stipulated by this Court,

For Petitioner	:	Mr.C.Prabakar
For Respondents	:	Mr.S.N.Parthasarathy Special Government Pleader

ORDER

This writ petition has been filed for issue of a writ of mandamus directing the respondents to act upon the application submitted by the applicant on 27.11.2019 and 18.02.2020 and conduct survey and subdivide the property and issue separate patta within the time frame fixed by this Court.

2. The case of the petitioner is that he is the owner of the subject property by virtue of registered sale deed dated 22.09.2017. The further case of the petitioner is that a patta was also granted in favour of the petitioner in patta No.387 by the first respondent. The petitioner wanted to sub divide the property in order to get a separate patta. Therefore, he made



an online application on 27.11.2019. Since it was not acted upon, the petitioner sent a representation on 18.02.2020. Since no action has been taken till date, the present writ petition has been filed before this Court.

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3. Heard Mr.Prabakar, learned counsel appearing on behalf of the petitioner and Mr.S.N.Parthasarathy, learned counsel appearing on behalf of the respondent.

4. Taking into consideration the facts of the case and the limited relief sought for in the writ petition, there shall be a direction to the first respondent to immediately act upon the application submitted by the petitioner on 27.11.2019 and 18.02.2020 and take a decision with regard to conducting survey and sub division and pass appropriate Orders strictly in accordance with law, within 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 first respondent along with a copy of the application dated 27.11.2019, with all other relevant documents and also a copy of this Order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Tahsildar,
Kadaiyampatti Taluk, Salem District.

2. The Head Surveyor,
Office of the Tahsildar,
Kadaiyampatti Taluk, Salem District.

+1cc to Mr.C.Prabakaran, Advocate, Sr.No.28303
+1cc to the Government Pleader, Sr.No.28158

W.P.No.11468 of 2020

rsv (co)
rr ii (15/09/2020)