



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7299 of 2013

Muthu Veerappan

... Petitioner

Vs.

The Tahsildar,
Taluk Office,
Aruppukkottai,
Virudhunagar District.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to O.Mu.No.A6/1576/12 dated 09.11.2012 on the file of the respondent and quash the same and consequently direct the respondent to survey the land bearing GR Survey No.14/872 without insisting the petitioner to change the patta in his name situated at Palayampatti Village, Aruppukkottai Taluk, Virudhunagar District.

For Petitioner	:	Mr.R.Murugappan
For Respondent	:	Mr.R.Sethuraman, Special Government Pleader.

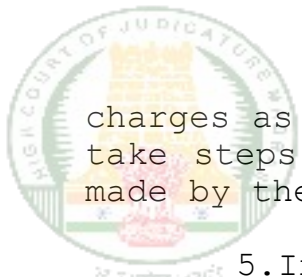
ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Certiorarified Mandamus, to quash the impugned order passed by the respondent in O.Mu.No.A6/1576/12 dated 09.11.2012 and consequently direct the respondent to survey the land bearing GR Survey No.14/872 without insisting the petitioner to change the patta in his name situated at Palayampatti Village, Aruppukkottai Taluk, Virudhunagar District.

2.According to the petitioner, the land bearing Survey No.14/872 situated at Palayampatti Village, Aruppukkottai Taluk, Virudhunagar District, belonged to his father Paramasivam @ Gurunathan Chettiyar and he died on 27.02.1990, leaving behind him and three others as his legal heirs. Hence, the petitioner sent a representation dated 05.11.2012 to the respondent to survey the above said land and he has also paid charges. Subsequently, the respondent vide order dated 09.11.2012, insisted the petitioner to change the patta in his name and thereafter, steps will be taken to survey the above said land. Challenging the impugned order passed by the respondent, the petitioner has filed the present Writ Petition.

3.The learned counsel appearing for the petitioner submitted that patta has been transferred in the name of the petitioner.

4.The learned Special Government Pleader appearing for the respondent submitted that if the petitioner produces the copy of the patta along with necessary documents and to pay the necessary



charges as required by the respondent as of now, the respondent will take steps to measure and survey the boundaries as per the request made by the petitioner.

5. In the light of the submissions made by the learned Special Government Pleader appearing for the respondent, this Court is inclined to pass the following order:

i) The petitioner is directed to submit an application before the respondent along with relevant documents and also with necessary charges as required by the respondent as of now, within a period of two weeks from the date of receipt of a copy of this order.

ii) On receipt of the said application, the respondent shall survey the property and fix the boundaries in accordance with law, if there is no other legal impediment.

6. The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

Note: In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The Tahsildar,
Taluk Office,
Aruppukkottai,
Virudhunagar District.

Order made in
W.P. (MD) No.7299 of 2013
Dated:
29.07.2020

SPU (07.08.2020) 2P 2C

<https://hcservices.ecourts.gov.in/hcservices/>