



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2020

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WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.15762 of 2020

S.Kothandaram

...Petitioner

-Vs-

The Tahsildar,
Srivilliputhur,
Virudhunagar District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondent to issue patta for the land in Survey Nos.552, 556/9, 565/2, 299/1, 322/2A, 299/5 and Natham Survey No.609/39 Ayan Natchiarkoil Village, Srivilliputhur Taluk referred in the petition dated 01.07.2019 within the time stipulated by this Court.

For Petitioner : Mr.A.Sivaji
For Respondent : Mr.P.Kannidevan
Additional Government Pleader.

ORDER

This writ petition has been filed to direct the respondent to issue patta for the land in Survey Nos.552, 556/9, 565/2, 299/1, 322/2A, 299/5 and Natham Survey No.609/39 Ayan Natchiarkoil Village, Srivilliputhur Taluk referred in the petition dated 01.07.2019 within the time stipulated by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.Heard Mr.P.Kannidevan, learned Additional Government Pleader, who accepts notice for the respondent.

4. According to the petitioner, the property in question are the ancestral property. After the demise of the petitioner's father the property devolved on the petitioner and his four brothers and two sisters. Based on the family arrangement entered between them and the mutation that had taken place with regard to the share of the petitioner's brothers and sisters, the petitioner applied for patta transfer. But the respondent had rejected the petitioner's application stating that the family arrangement deed is notarised. The petitioner states that before rejecting the said application, the respondent has not given any opportunity of hearing to the



petitioner. Therefore, the petitioner sent an another application to the respondent on 01.07.2019. But so far, no action has been taken on the said application. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

5. Considering the facts and circumstances, the respondent is directed to conduct survey and fix the boundaries in respect of the petitioner's land by following the guidelines issued by this Court in W.P.(MD)No.13465 of 2020, dated 13.10.2020. The said survey shall be photographed and videographed in the presence of the petitioner and the costs of Photograph and Videograph to be borne by the petitioner. Such exercise shall be completed, within a period of three (3) months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Srivilliputhur,
Virudhunagar District.

+1 CC to M/s.A.SIVAJI, Advocate (SR-21661[F] dated 10/11/2020)

+1 CC to M/s.GP (SR-21737[F] dated 10/11/2020)

W.P. (MD) No.15762 of 2020
09.11.2020

CK(CO)

TR(23.11.2020) 2P 4C