



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :13.08.2020
CORAM
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P.(MD) No.17415 of 2019

R.Murugesan

...Petitioner

Vs

1.The Tahsildar,
Aundipatti Taluk Office,
Theni District.

2.The District Surveyor,
Theni Collector Office Campus,
Theni.

3.The Taluk Surveyor,
Aundipatti Taluk Office,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 16.07.2019 and consequently, direct them to survey the petitioner's land with fixing four boundaries, make subdivision and issue separate patta in the petitioner's name for the property comprised in Survey No.64/2C and 64/2A of Pullimankombai Village, Aundipati Taluk, Theni District.

For Petitioner : Mr.P.V.Gurudevaraj
For Respondents : Mr.P.Kannithevan,
Additional Government Pleader.

ORDER

This writ petition is filed seeking for a direction, to direct the respondents to survey the land in Survey No.64/2C and 64/2A of Pullimankombai Village, Aundipati Taluk, Theni District, and to issue separate patta in the petitioner's name for the aforesaid property.

2.The learned counsel for the petitioner submitted that the petitioner made a representation dated 16.07.2019 to the respondents for the aforesaid relief. So far, no action has been taken. Hence, this writ petition.

3. The learned Additional Government Pleader appearing for the respondents has produced a copy of the proceedings of the first



respondent dated 12.08.2020, wherein, it had been stated that dispute is pending between the parties with regard to the aforesaid land and in respect of the same, suit in O.S.Nos.35 and 58 of 2017 on the file of the District Munsif Court, Aundipatti and C.C.No.1 of 2019 on the file of the District Munsif cum Judicial Magistrate, Aundipatti are pending. Therefore, the respondents have not carried out the survey in the aforesaid land and has not fixed the boundaries.

4. Heard the learned counsel on either side and perused the materials placed on records.

5. In view of the aforesaid facts, the petitioner's representation dated 16.07.2019 for the aforesaid relief cannot be considered. After disposal of suits, the petitioner shall approach the respondents for same relief, if necessary.

6. This Writ Petition is dismissed accordingly. No costs.

Sd/-

Assistant Registrar (CSII)

// 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

1. The Tahsildar,
Aundipatti Taluk Office,
Theni District.

2. The District Surveyor,
Theni Collector Office Campus, Theni.

3. The Taluk Surveyor,
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