

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.NO.17274 OF 2019

G.Petha Srinivasa Reddy

... Petitioner

Vs.

1. The District Collector
Krishnagiri District
Krishnagiri.

2. The Revenue Divisional Officer
Hosur 0- 635 109.

3. The Tahsildar
Taluk Office
Hosur - 635 109.

4. The Town Land Surveyor
Municipal Office
Hosur - 635 109.

5. Chinna Venkatasami Reddy
(Impleaded vide Court order
dated 25.07.2019 in
WMP.No.17882/2019 by PDAJ)

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 3rd respondent herein to consider the petitioner's representation dated 13.05.2019 in accordance with law and within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.S.N.Parthasarathi
Government Advocate [R1 to R4]

ORDER

The petitioner seeks partition of a certain property by the Tahsildar, the third respondent herein, even as the suit for partition in O.S.No.338/2007 on the file of District Munsif Court, Hosur, is pending.

2. The counter has been filed, supporting which, Mr.S.N.Parthasarathi, learned Government Advocate who appeared for respondents 1 to 3, made a statement that since the partition suit is pending, it will be inappropriate for the Tahsildar to survey the property.

3. Reasoning of the Tahsildar is well founded. A partition suit is pending and it is appropriate that the petitioner waits till the partition suit is disposed of, and the decree therein passed has attained finality, before seeking survey of the land where the partition suit is still pending.

4. The petition is pre-mature and accordingly, it is closed.
No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ds

To

1. The District Munsif Court,
Hosur.
2. The District Collector
Krishnagiri District
Krishnagiri.
3. The Revenue Divisional Officer
Hosur 0- 635 109.
4. The Tahsildar
Taluk Office
Hosur - 635 109.
5. The Town Land Surveyor
Municipal Office
Hosur - 635 109.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.14648
+1cc to the Government Pleader, S.R.No.14822

W.P.No.17274 of 2019

PMK (CO)
CS/29/03/2021