



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM:

WEB COPY

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.17815 of 2021

P. Harikrishnan

...Petitioner

-Vs-

1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

2. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.

3.The Tahsildar,
Thandarampattu Taluk Office,
Tiruvannamalai District.

...Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondent to conduct Survey measurement to fix four boundaries to the petitioner's land measuring an extent of 3052 Sq.ft. bearing Survey No142/2, Sattanur Village, Thandarampattu Taluk, Tiruvannamalai District and consequently, grant an Individual Patta in the petitioner's name based on the petitioner's application in sub-division Patta Transfer vide Can No.133060713636873 and application No.2021/0105/06/286158 dated 31.07.2021.

For Petitioner	::	Mr.A. Saravanan
For Respondents	::	Mr. Yogesh Kannadasan (Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction the respondent to conduct Survey measurement to fix four boundaries to the petitioner's land measuring an extent of 3052 Sq.ft. bearing Survey No142/2, Sattanur Village, Thandarampattu Taluk, Tiruvannamalai District and consequently, grant an Individual Patta in the petitioner's name based on the petitioner's application in sub-division Patta Transfer vide Can No.133060713636873 and application No.2021/0105/06/286158 dated 31.07.2021.



2. The learned counsel for the petitioner would submit that the petitioner purchased the lands measuring an extent of 3052 Sq.ft bearing S.F. 142/2, Sattanur Village, Thandarampattu Village, Tiruvannamalai District from one Mrs. R. Janaki Ammal for the sale consideration of Rs.70,196/-. vide Sale Deed dated 23.02.2006 and the same was registered as document No.92/2006 on the file of the Sub-Registrar, Thandarampattu. After the registration, as the petitioner found that there was a mistake in survey number in the original Sale deed executed by Vendor, a rectification deed was executed in favour of the petitioner herein vide document No.316/2006 dated 23.02.2006. While being so, since Joint Patta No.888 was stood in the name of husband of the vendor namely Ramalingam for the aforesaid property, the name of the petitioner has been added in the Joint Patta after the purchase of the property. Subsequently, in order to avoid dispute with regard to the land, the petitioner herein has made an application through E-Sevaimaiyam for survey measurement on payment of respective fees and produced the said copy of application, sub-division patta transfer vide Can No.133060713636873 and application No.2021/0105/06/286158 dated 31.07.2021 before the officer concerned. Thereafter, the petitioner has met the Firka Surveyor on few occasions, and requested him to carry out the survey measurement so as to fix the boundary for the land of the purchased by the petitioner herein. Despite repeated requests and reminder made by the petitioner herein to the officer concerned, neither the Firka Surveyor nor other respective officer has taken any steps to conduct the survey measurement.

3. It has been further submitted that the previous State Government has issued directions to the respondents herein to consider the dispose of the grievance petitions filed by the Public, within two months as per G.O. Ms.No.114, P&AR Dept. dated 02.08.2006 which was reiterated by the present Government also. In the said Government order, it is clearly stated that the grievance should be redressed within two months and if the officer is not in a position to dispose of the petition within two months, an interim reply should have been given within a period of one month and failed to follow the time limit was ordered to be viewed very seriously by the Higher Authorities. Hence, this Court may be pleased to direct the respondents herein to consider the application of the petitioner.

3. The learned Government Advocate would submit that if the petitioner has purchased the said land, the application of the petitioner may be considered by the respondents herein to issue an individual Patta in the name of the petitioner.



4. Having considered the aforesaid facts and circumstances of the case, the respondents herein are directed to consider the application dated 31.07.2021 filed by the petitioner herein within a period of 16 weeks from the date of receipt of copy of this order to grant an Individual Patta in his name as the petitioner herein has purchased the said land in his favour from the said vendor.

5. With the aforesaid directions, this Writ petition is allowed. Consequently, connected miscellaneous petition is closed if any. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

Lbm

To:

- 1.The District Collector,
Tiruvannamalai,
Tiruvannamalai District.
2. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
3. The Tahsildar,
Thandarampattu Taluk Office,
Tiruvannamalai District.

+1 CC to Mr.A. Saravanan, Advocate sr 42730.
+1 CC to The Government Pleader sr 43087.

W.P. No.17815 of 2021

PL(CO)
SP(14/09/2021)