



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

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THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.18024 of 2019

Mr.B.Mohan

...Petitioner

Vs.

1. The Tahsildar  
Panrutti Taluk  
Office of the Panrutti Taluk  
Cuddalore District - 607 106.
2. The Firka Surveyor  
Nellikuppam Taluk  
Panrutti Taluk  
Cuddalore District - 607 105.
3. The Village Administrative Officer  
Keez Arungunam Village  
Panrutti Taluk, Cuddalore District - 607 105.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to measure and survey the petitioner property in Kee Arungunam Village S.No. 141/1, measuring about an extent of 75 cents out of 3.37 Acres, 0.83.0 Ares, bounded on the Manavalan land to Eastern Side, Perumal Land to Western Side, Muthuvel Land to Northern Side, Road to Southern side and Joint Patta No. 1306 stands in the name of the petitioner situated at Panrutti Taluk, Cuddalore District, consequently, direct the first respondent to issue separate patta in favour of the petitioner.

For Petitioner : Mr. R.Anandha Babu  
For Respondents : Mr. K.M.d. Muhilan  
Government Advocate

ORDER

The grievance of the petitioner is that he had given an application through online on 09.04.2019. The first respondent / Tahsildar, Panrutti Taluk, Office of the Panrutti Taluk, Cuddalore District, had not taken any steps to either measure the property of the petitioner or to grant of patta.



2. It is the case of the petitioner that he had purchased the property measuring 75 cents in Keez Arungunam Village S.No.141/1, measuring about an extent of 75 cents out of 3.37 Acres, 0.83.0 Ares, bounded on the Manavalan land to Eastern Side, Perumal Land to Western Side, Muthuvel Land to Northern Side, Road to Southern Side and Joint Patta No. 1306. He had purchased the said property by way of registered sale deed on 06.04.2016 as document No. 704 of 2016 on the file of the Sub-Registrar Office, Nellikuppam. The petitioner made applications from the year 2016 onwards to measure and survey the property and to issue separate patta after effecting sub-division.

3. As stated, the patta is in the joint names and having purchased the property, naturally the petitioner expected to obtain individual patta in his name. When obtaining such patta measurement of the property is required and that can be done only after surveying the property. For this purpose, the petitioner made an application in the year 2016, namely, 21.06.2016. He made another application on 28.11.2016. He gave a further application on 12.05.2017 and yet again on 19.05.2017. He also paid the necessary charges towards the same. He made a further application on 05.04.2019 when again he made payment by challan. He made yet another application through online on 09.04.2019 for measurement and survey of the property and to grant separate patta.

4. In view of the number of applications given by the petitioner, having been frustrated over the inaction of the first respondent, the petitioner had approached this Court by filing this Writ Petition.

5. A Mandamus is directed to the first respondent/ Tahsildar, Panrutti Taluk, Office of the Panrutti Taluk, Cuddalore District, to act on the representations/applications already given by the petitioner herein and conduct necessary survey of the property of the petitioner after issuing notice to the petitioner, enquire the petitioner, examine the records and thereafter do the needful, and if there are no objections to sub divide the patta and grant the same to the petitioner herein.

6. The petitioner may give a fresh copy of the earlier representations/applications given by him within a period of two weeks from the date of receipt of a copy of this order and thereafter, the Tahsildar with the assistance of the surveyor and other officials may do the needful within a period of nine further weeks.



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7. With the above said observation, this Writ Petition is disposed of. No order as to costs.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsg  
To

1. The Tahsildar  
Panrutti Taluk  
Office of the Panrutti Taluk  
Cuddalore District - 607 106.
2. The Firka Surveyor  
Nellikuppam Taluk  
Panrutti Taluk  
Cuddalore District - 607 105.
3. The Village Administrative Officer  
Keez Arungunam Village  
Panrutti Taluk, Cuddalore District - 607 105.

+1 CC to The Government Pleader, Sr.No. 41364.

W.P.No.18024 of 2019

PL(CO)  
NSK(03/09/2021)