



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. NO.18563 OF 2021

K.Kuppan

... Petitioner

-Vs-

1. The District Collector,
Vellore District.

2. The Tahsildar,
Katpadi Taluk,
Vellore District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to depute a surveyor to measure the petitioner's property situated in S.No.147, Aruimpathi Village, Thiruvallam, Katpadi Taluk, Vellore District.

For Petitioner : Ms.A.Anusuya

For Respondents : Mr.Yogesh Kannadasan
Government Advocate.

ORDER

The Writ Petition has been filed to direct the respondents to depute a surveyor to measure the petitioner's property situated in S.No.147, Aruimpathi Village, Thiruvallam, Katpadi Taluk, Vellore District and issue patta in favour of the petitioner.

2. Heard Ms.A.Anusuya, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents.



3. On the application submitted by the petitioner, the first respondent directed the second respondent by the communication dated 03.09.2021, to survey the land comprised in survey No.147 and issue patta. Accordingly, the second respondent directed the Firka surveyor to survey the land in survey No.147 and send the report. The Firka surveyor along with the Village Administrative Officer and the Village Assistant, surveyed the property and found that as per the sale deed of the petitioner dated 19.02.1990 registered vide document No.3755/1990, the property is comprised in survey No.147/1. However, the petitioner is in possession and enjoyment of the land comprised in survey No.138. Therefore, the second respondent could not be able to proceed further and issue patta.

4. Considering the above facts, the second respondent is directed to survey the property, as the per the sale deed dated 19.02.1990 registered vide document No.3755/1990 viz., the land comprised in survey No.147 and not for the land, which is in possession and enjoyment of the petitioner viz., the land comprised in survey No.138 and issue patta in favour of the petitioner, within a period of six weeks from the date of receipt of a copy of this Order.

5. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Vellore District.
2. The Tahsildar,
Katpadi Taluk,
Vellore District.

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SVI (CO)

RLP (01/12/2021)